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### IV. GOALS AND POLICIES

Goals and policies are an integral part of the General Plan. Each major section of Goals and Policies is preceded by an introductory narrative which is intended to provide a frame of reference for the goal and policy statements which follow. This information is also intended to provide a brief summary of the significant background information, analysis and documentation on file in the Department of Planning, Building, and Code Enforcement from which the Goals and Policies are derived. ■

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### CITY CONCEPT

The City Concept goals and policies collectively express a concern with the quality of life and the livability of San José. They are directed toward trying to make San José a recognizable and distinct place which is complete in terms of providing a wide variety of opportunities for living and working, as well as enjoying cultural and recreational pastimes. They are also directed toward trying to make San José's many diverse neighborhoods meaningful parts of the larger community.

The quality of life for San José residents will be enhanced by a commitment which places the highest value on people and encourages citizen participation in government.

### Urban Conservation

#### Goal:

Improve the existing quality of life and create a stable, mature community.

#### Policies:

1. In the development review process and in designing service and capital facility programs, the City should strive to create an environment in which the highest value is placed on people.
2. The City should encourage new development which enhances the desirable qualities of the community and existing neighborhoods.
3. The City should provide the highest level of service feasible consistent with the City's fiscal resources.

### Community Identity

#### Goal:

Enhance the sense of community identity in San José.

#### Policies:

1. The City should encourage the development of a compact, cohesive pattern of urbanization with definite, identifiable boundaries that readily create a sense of community identity.
2. The City should promote the revitalization of the Downtown Core Area as a major focal point for the identity of San José.
3. The City should foster the participation of residents in local government decision-making and in the social, cultural and recreational activities of the community.

### Neighborhood Identity

#### Goal:

Enhance the sense of neighborhood identity in San José.

#### Policies:

1. Neighborhood groups should have input to the decision-making process in City government.
2. City services and facilities should be equitably distributed throughout the community to the extent feasible.
3. Public and private development should be designed to improve the character of existing neighborhoods. Factors that cause instability or create urban barriers should be discouraged or removed.
4. Neighborhoods should include places for interaction among residents such as parks, community centers, schools, commercial areas, churches, and other gathering points.
5. To increase neighborhood child care options, the city encourages the location of child care facilities in neighborhood schools, churches and other suitable facilities.

## **Balanced Community**

### **Goal:**

Develop a balanced and complete community in terms of land use distribution and densities, housing types and styles, economic development and job opportunities and opportunities for social and cultural expression

### **Policies:**

1. The City should foster development patterns which will achieve a whole and complete community in San José, particularly with respect to improving the balance between jobs and economic development on the one hand, and housing resources and a resident work force on the other. A perfect balance between jobs and housing may not be achievable but the City should attempt to improve this balance to the greatest extent feasible.
2. Varied residential densities, housing types, styles, and tenure opportunities should be equitably and appropriately distributed throughout the community and integrated with the transportation system, including roads, bicycle and pedestrian facilities. Higher densities are encouraged near passenger rail lines and other major transportation facilities to support the use of public transit.
3. Encouragement should be given to achieving a social, economic and housing mix in all neighborhoods.
4. Business and industry should be encouraged to provide job opportunities for all members of the community's work force.
5. Developers of large industrial, commercial, or residential projects should be encouraged to identify and appropriately address the potential need generated by these projects for child care facilities or services. ■

## **COMMUNITY DEVELOPMENT**

### **Land Use**

#### **Residential Land Use**

There are a wide variety of residential neighborhoods in San José, each with its own character defined by setting, housing types, densities and, in some cases, cultural heritage. The environment and livability of existing residential neighborhoods are an intangible but important community resource to be preserved. Similarly, these qualities should be fostered in future neighborhoods. To this end, the Residential Land Use goals and policies reflect concerns for the protection of neighborhoods from incompatible land uses, the adequacy of public facilities and services, and protection from hazards.

The Residential Land Use policies also reflect the City's objective to promote higher density residential development in the future than was typical in the past. This objective recognizes that remaining vacant land resources are finite and should be used as efficiently as possible, that the relative affordability of housing is enhanced by higher densities given the rising price of land, and that higher densities make the delivery of public services more cost-effective. The Plan contains the Housing Initiative and Transit-Oriented Development Corridors Special Strategy Areas to facilitate the creation of high density residential and mixed use development along existing and planned transit routes.

A high standard of site planning and architectural design quality can make higher density housing attractive to both the consumer and the neighborhood where it is located. Given the finite nature of available land resources and the increasing fiscal constraints on the City, new residential development should provide on-site open

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space and recreational opportunities to adequately supplement the City's limited park resources.

The Residential Land Use goals and policies are primarily guidelines for the physical development of residential neighborhoods and proximate land uses. The Housing goals and policies, on the other hand, address the maintenance, rehabilitation, improvement and development of housing, particularly relating to affordability.

### **Residential Land Use Goal:**

- Provide a high quality living environment in residential neighborhoods.
- Ensure that lands planned for residential use are fully and efficiently utilized to maximize the City's housing supply.

### **Residential Land Use Policies:**

1. Residential development at urban densities (one dwelling unit per acre or greater) should be located only where adequate services and facilities can be feasibly provided.
2. Residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. In particular, non-residential uses which generate significant amounts of traffic should be located only where they can take primary access from an arterial street.
3. Higher residential densities should be distributed throughout the community. Locations near commercial and financial centers, employment centers, the rail transit stations and along bus transit routes are preferable for higher density housing. There are a variety of strategies

and policies in the General Plan that encourages the construction of high density housing and supportive mixed uses. For example, the Housing Initiative and Transit-Oriented Development Corridor Special Strategy Areas encourage high density housing and mixed use development in close proximity to existing and planned transit routes. In addition, residential development located within 2,000 feet of a planned or existing rail station should occur at the upper end of the allowed density ranges and should typically be at least 25 DU/AC unless the maximum density allowed by the existing land use designation is less than 25 DU/AC.

4. Due to the limited supply of land available for multiple family housing, public/quasi-public uses, such as schools and churches, should be discouraged in areas designated for residential densities exceeding twelve units per acre on the Land Use/Transportation Diagram except in the Downtown Core Area.
5. Residential development should be allowed in areas with identified hazards to human habitation only if these hazards are adequately mitigated.
6. Mobilehome parks should be encouraged to locate in various areas of the City rather than concentrating in a few areas.
7. Housing developments designed for senior citizens should be located in neighborhoods that are within reasonable walking distance of health and community facilities and services or accessible by public transportation.
8. Residential social service programs (e.g., board and care facilities) should be equitably distributed throughout the City rather than being concentrated in a few areas. The City should encourage the County and other social service licensing agencies to recognize and implement this policy.



9. When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.
10. In areas designated for residential use, parking facilities to serve adjacent non-residential uses may be allowed if such parking facilities are adequately landscaped and buffered, and if the only permitted access to neighborhood streets is for emergency vehicles.
11. Residential developments should be designed to include adequate open spaces in either private yards or common areas to partially provide for residents' open space and recreation needs.
12. New mobilehome parks are not allowed in areas designated for industrial land uses. Existing mobilehome parks in industrial areas should, however, be considered permanent rather than interim uses, and should be given the same protection from adjacent incompatible uses as would be afforded any other residential development.
13. In the design of lower density, single-family residential developments, particularly those located in the Rural Residential, Estate Residential and Low Density Residential categories,

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consideration should be given to the utilization of public improvement standards which promote a rural environment, including such techniques as reduced street right-of-way widths, no sidewalks and private street lighting.

14. Single-family and duplex residential development should be designed with limited access to arterial streets as follows:
  - No direct frontage or access on six-lane arterials or within 350 feet of the intersection of two arterials.
  - No direct frontage or access on four-lane arterials; direct frontage or access is strongly discouraged.
  - The use of frontage roads, corner lots, open-end cul-de-sacs or other street design solutions for access is encouraged.
15. Bed and breakfast inns may be located on properties designated for residential land use, regardless of density, provided that parking and other possible impacts on the surrounding neighborhood can be satisfactorily mitigated.
16. Small residential social service facilities for up to six persons are appropriate in residential neighborhoods of any density. Facilities for more than six persons should be located only in areas designated for residential densities exceeding 8 dwelling units per acre.
17. The City encourages developers of large residential projects to identify and appropriately address the need generated by these projects for child care facilities and services.
18. New single-family flag lots are appropriate on hillside properties but otherwise should be limited to the occasional large parcel which is unique in its neighborhood. Flag lot

development in non-hillside areas should have a clear and visible relationship to the neighborhood and the street and should be approved only through the Planned Development zoning process which can assure that relationship. To strengthen the neighborhood preservation policies and objectives of the plan, the City Council has adopted a policy establishing criteria for the use of flag lots.

19. Freestanding communications structures such as towers, antennae and monopoles should not be located on sites designated for residential land use unless such sites are occupied by a P.G. & E. substation or corridor for high-tension lines exceeding 200 KV.
20. Roads, buildings and landscaping for new residential projects should be designed and oriented to maximize energy conservation benefits for space heating and cooling to the extent feasible.
21. Substantial expansion of existing non-residential uses (e.g., major structural improvements or expansions) should be discouraged on properties designated for residential use.
22. High density residential and mixed residential/commercial development located along transit corridors should be designed to:
  - Create a pleasant walking environment to encourage pedestrian activity, particularly to the nearest transit stop.
  - Maximize transit usage.
  - Allow residents to conduct routine errands close to their residence.
  - Integrate with surrounding uses to become a part of the neighborhood rather than an isolated project.



- Use architectural elements or themes from the surrounding neighborhood.
  - Ensure that building scale does not overwhelm the neighborhood.
23. New high-density residential development in Transit-Oriented Development Corridors and BART Station Area Nodes should be designed to protect residents from any potential conflicts with adjacent land uses.
24. New residential development should create a pedestrian friendly environment by connecting the features of the development with safe, convenient, accessible, and pleasant pedestrian facilities. Such connections should also be made between the new development, the adjoining neighborhood, transit access points, and nearby commercial areas.
25. Large non-residential/institutional uses should not be located adjacent or in close proximity to one another in residentially designated areas. Large institutional uses should be designed to be compatible with the scale, character, and identity of the surrounding neighborhood.

### **Commercial Land Use**

The commercial land use policies reflect the need to locate new commercial uses in the community which facilitate convenient shopping and easy access to professional services and which contribute to the economic base of the City. Redevelopment of existing commercial strips and areas and the conversion of existing structures to more appropriate uses should result in the upgrading of these areas.

### **Commercial Land Use Goal:**

Provide a pattern of commercial development which best serves

community needs through maximum efficiency and accessibility.

### **Commercial Land Use Policies:**

1. Commercial land in San José should be distributed in a manner that maximizes community accessibility to a variety of retail commercial outlets and services and minimizes the need for automobile travel. New commercial development should be located near existing centers of employment or population or in close proximity to transit facilities and should be designed to encourage pedestrian and bicycle access through techniques such as minimizing building separation from the street, providing safe, accessible, convenient and pleasant pedestrian connections, secure bike storage, etc. Employee intensive uses should be encouraged to locate along multi-modal transit corridors.
2. New commercial uses should be located in existing or new shopping centers or in established strip commercial areas. Isolated spot commercial developments and the creation of new strip commercial areas should be discouraged.
3. Any new regional-scale commercial development should be encouraged to locate in the Downtown Core Area rather than in suburban locations.
4. The City should encourage the upgrading, beautifying, and revitalization of existing strip commercial areas and shopping centers.
5. Commercial development should be allowed within established residential neighborhoods only when such development is compatible with the residential development and is primarily neighborhood serving.
6. New commercial uses or expansion of existing uses within the referral areas of the Airport Land Use Commission should give appropriate consideration to A.L.U.C. policies.

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7. The City should encourage retail and service establishments to locate in the Downtown Core Area in order to serve residents and employees. In this regard, consideration should be given to providing appropriate assistance to such small businesses.
8. Proposals to convert residential properties along major streets to office or commercial use should be approved only when there is a substantial non-residential character to the area and where satisfactory parking and site design can be demonstrated.
9. Combined convenience store/service station uses should not be allowed.
10. Adult entertainment uses (i.e., adult motion picture theaters, adult book stores, adult cabarets, and massage parlors) should not be located within close proximity to residential neighborhoods, schools, or one another.
11. The City encourages developers of large commercial projects to identify and appropriately address the potential need generated by these projects for child care facilities or services.
12. Freestanding communications structures such as towers, antennae and monopoles may be allowed on sites designated for commercial land use when such sites are occupied by a P.G. & E. substation or corridor for high-tension lines exceeding 200 KV or the proposal is consistent with General Plan Urban Design height policies for structures other than buildings.
13. Roads, buildings and landscaping for new commercial development should be designed and oriented to maximize energy conservation benefits for space heating and cooling to the extent feasible.
14. Existing commercial development within residential neighborhoods may expand when such development is small scale and is compatible with the adjacent residential neighborhood.

### Industrial Land Use

The Economic Development goals and policies encourage the development of industrial land to provide sufficient opportunities for job growth and for expansion of the City's industrial tax base.



Some of the General Plan industrial categories allow for development which is not of an industrial nature. Therefore, it is critical that the Land Use/Transportation Diagram designate certain areas exclusively for industrial uses such as North San José, Edenvale, the Coyote Valley and along the Monterey Corridor. The remaining industrial land inventory for the City may be appropriate for a mixture of industrial and other compatible uses.

The distinction between the areas reserved exclusively for industrial uses and those that may allow non-industrial uses reflects the many demands that are placed on the finite supply of industrial land, the importance of industrial land in meeting the City's Economic Development Goals and the need for some non-industrial uses to locate on such lands. Reserving some areas exclusively for industrial uses maintain the desirability of those locations in San José for potential industrial users, particularly high technology firms.

Outside of these areas available exclusively for industrial uses, the Land Use/Transportation Diagram designates "mixed industrial areas" with a Mixed Industrial Overlay to allow for a mixture of primarily industrial with compatible commercial or public/quasi-public uses. These areas are generally appropriate for future mixed-use development because they contain, or are surrounded by, an existing mix of uses, so that additional non-industrial uses would not compromise the industrial integrity of the area. These areas also provide opportunities for land uses that may have difficulty locating in commercial or residential areas due to neighborhood concerns, land use compatibility, scale of operation or similar issues. Examples of such non-industrial uses include, but are not limited to, primary or secondary schools, hotels and motels, nightclubs, churches, free-standing daycare centers, large volume retailers, large

gymnasiums, sports or arts instruction facilities, and hospitals.

Older industrial areas near the Downtown Core Area were developed before 1950 and were dominated by canneries and associated industries. A decline in the food processing industry has followed the decline of agricultural production in the Santa Clara Valley. Some of these older industrial areas are under-utilized and their redevelopment is encouraged. Other older industrial areas are dominated by a variety of heavy industries which are necessary components of the local economy and whose continued operation is encouraged. These older industrial areas, such as the Monterey Corridor, provide lower cost lands and buildings necessary for industrial service/supplier uses and act as incubators for the new firms and industries which will fuel future job growth. The City intends to preserve these areas as part of its Economic Development Major Strategy.

New industrial development will occur largely in locations further from the Downtown Core Area. The distribution of industrial lands in the City encourages a more balanced geographic distribution of jobs and housing in the City. High technology industries are predominant. Major activities will include administrative, research and development activities, as well as manufacturing.

The Industrial Land Use goals and policies and the industrial designations on the Land Use/Transportation Diagram reflect the City's objective of locating appropriate employment-intensive land uses close to residential areas, thereby contributing to shorter commute distances.

Recognizing that sustainable economic development depends on a healthy natural environment, the City and industry have been working together to reduce pollutants and water usage that could affect San

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Francisco Bay. Policies in this section and in the Natural Resources section support this continuing effort.

### **Industrial Land Use Goal:**

Provide sufficient land for a variety of industrial uses that is distributed to provide optimum commute access and to promote a balanced distribution of jobs and housing to reduce traffic congestion and air pollution.

### **Industrial Land Use Policies:**

1. Industrial development should incorporate measures to minimize negative impacts on nearby land uses.
2. The City should encourage the development of new industrial areas and the Redevelopment of existing older or marginal industrial areas, particularly in locations which facilitate efficient commute patterns. The use of Redevelopment tax increment financing to provide necessary public improvements is one means of encouraging this economic development and revitalization.
3. The City should monitor the absorption and availability of industrial land, particularly land identified exclusively for industrial uses, to ensure a balanced supply of available land for all sectors, including industrial suppliers and services, and should periodically assess the condition and amount of the industrial land supply to achieve this end.
4. New industrial uses within the referral areas of the Airport Land Use Commission should give appropriate consideration to adopted A.L.U.C. policies.
5. Supportive and compatible commercial and office uses are encouraged in the industrial areas designated with the Mixed Industrial overlay. In areas

reserved exclusively for industrial uses, only limited auxiliary and incidental commercial uses may be permitted when the uses are of a scale and design providing support only to the needs of businesses and their employees in the immediate industrial area.

6. Expansion and improvement of heavy industrial uses should incorporate measures to comply with current anti-pollution and design standards including the City's wastewater minimization program and other pollution reduction programs.
7. The City encourages developers of large industrial projects to identify and appropriately address the potential need generated by these projects for child care facilities or services. The provision of on-site child care may be considered for a single tenant building in industrial areas primarily for use by employees of the industrial facility. Off-site, free-standing child care facilities should not be considered in industrial areas, except for those areas that have been designated with the Mixed Industrial Overlay.
8. Freestanding communications structures such as towers, antennae and monopoles may be allowed on sites designated for industrial land use when such sites are occupied by a P.G. & E. substation or corridor for high-tension lines exceeding 200 KV or the proposal is consistent with General Plan Urban Design height policies for structures other than buildings.
9. The City should encourage industrial supplier/service business retention and expansion in appropriate areas in the City.
10. Interface problems between existing residential and new industrial areas should be resolved through the site design and discretionary permit process.
11. Because of the importance in retaining viable industrial supplier/service lands

- and the inherent incompatibility between residential or non-industrial uses and industrial uses, new land uses that may restrict development of land reserved exclusively for industrial uses should not be allowed to locate adjacent to these areas of the City, and in particular, sensitive receptors, should not be located near primary industrial areas.
12. Employee intensive uses should be encouraged to locate near transit facilities.
  13. Roads, buildings and landscaping for new industrial projects should be designed and oriented to maximize energy conservation benefits for space heating and cooling to the extent feasible.
  14. Non-industrial uses which would result in the imposition of additional operational, and/or mitigation requirements, or conditions on industrial users in a neighboring exclusively industrial area in order to achieve compatibility are discouraged.
  15. Exclusively industrial areas should be reserved for industrial uses to the extent possible.
  16. Only non-industrial uses which are incidental to and totally compatible with primary industrial uses should be allowed in exclusively industrial areas.
  17. Uses which operate pursuant a Conditional Use Permit in areas identified exclusively for industrial uses are not precluded through these policies, and may continue.
  18. In order to support the City's Solid Waste Program, the City encourages the use of industrially-planned land to provide locations for various forms of recycling services (e.g., collection, handling, transfer, processing, etc.), for the support facilities required by these services (e.g., service yards, truck storage and service) and for companies

that manufacture new products out of recycled materials.

19. New industrial development should create a pedestrian friendly environment by connecting the features of the development with safe, convenient, accessible, and pleasant pedestrian facilities. Such connections should also be made between the new development and adjacent public streets.

### **Economic Development**

As outlined in the Background for Planning section of the Plan, San José has historically served as a bedroom community for employment located in other cities. The City has continually provided the bulk of the County's housing, particularly its lower cost affordable housing, but it has lagged behind the rest of the County in terms of job growth. This development pattern has contributed to County-wide traffic congestion conditions and has deprived the City of San José of an adequate tax base for providing desired service levels since residential development by itself cannot generate sufficient revenues to pay for the services it requires. The Economic Development goals and policies are necessitated by an existing local government tax structure which requires cities to maximize tax revenue from non-residential development to support the services required by residential land uses.

In addition to pursuing the following Economic Development goals and policies, San José will work with other cities to explore means of better balancing revenue distribution and service needs to offset the existing geographic imbalance in the distribution of jobs and housing in the region. This continued imbalance could adversely affect continued economic growth in the region since the communities providing the housing and residential services necessary to support job growth will

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not be able to provide sufficient services to attract the new worker households.

### **Economic Development Goals:**

1. Create more job opportunities for existing residents, particularly those who suffer from chronic unemployment, to improve the balance between jobs and resident workers.
2. Create a stronger municipal tax base by obtaining a greater share of the total industrial and commercial development in the County, protecting the exclusively industrial areas from incompatible development, and by nurturing and encouraging expansion of the existing industrial and commercial development in the City.

### **Economic Development Policies:**

1. The City should reduce the present imbalance between housing and employment by seeking to obtain and maintain an improved balance between jobs and workers residing in San José. A perfect balance between the number of jobs and employed residents may not be achievable but the City should strive to achieve a minimum ratio of 0.80 jobs/employed resident to attain greater fiscal stability.
2. To enhance its economic development goals and increase employment opportunities for San José citizens, the City should:
  - Seek to attract businesses and industries which are particularly suited to the area.
  - Protect the industrial lands designated exclusively for industrial uses.
  - Attract a diverse mixture of businesses and industries that can provide jobs suitable for the City's

unemployed and under-employed labor force.

3. Residential construction activity and supply and industrial and commercial job growth rates should be reviewed periodically to monitor the City's fiscal balance of land uses and resulting tax base as well as to monitor the progress made toward improving the balance between jobs and resident workers. The results of this review should be reported to the City Council on an annual basis.
4. The City should actively promote economic development through the provision of capital improvements, a simplified project review process, designating areas for exclusive and mixed industrial uses, and by implementing other economic development incentives and programs particularly those available through the Office of Economic Development and the Redevelopment Agency.
5. The City should cooperate with educational, industrial, and business institutions to provide job training programs which will enable the unemployed and underemployed labor force to meet the needs of business and industry.
6. The City should cooperate with appropriate institutions and agencies in providing job opportunities for people with disabilities, or who are economically and/or socially disadvantaged.
7. The City encourages a mix of land uses in the appropriate locations which contribute to a balanced economic base, including industrial suppliers and services, commercial support services, "green industries" (industries related to recycling or environmental preservation) as well as high technology manufacturers and other related industries.

## **Greenline/Urban Growth Boundary**

The General Plan has contained growth management and open space preservation provisions since the 1970s. These provisions have evolved into the Greenline/Urban Growth Boundary Major Strategy described in Chapter III as well as the goals and policies listed below. The Greenline/Urban Growth Boundary establishes the maximum extension of urban development and urban services both intended and anticipated in the General Plan. The Greenline/Urban Growth Boundary and the Urban Service Area policies together govern the timing and location of future urban development and the future extension of urban services. The City's ability to provide adequate services to its residents and businesses is directly related to the successful implementation of the goals and policies listed below.

In addition to governing the location and timing of urban development, the Greenline/Urban Growth Boundary clearly indicates that lands outside of the Boundary should remain permanently rural in character. Most of these lands are currently under the jurisdiction of Santa Clara County and should remain so. This means that the success of the Greenline/Urban Growth Boundary depends on a high degree of City and County cooperation. The City of San José and the County of Santa Clara have a long tradition (since 1970) of cooperative land use planning and urban growth management. The Greenline/Urban Growth Boundary both reflects and reinforces this tradition and establishes policies for further City and County cooperation. The General Plans of the City and the County contain similar policies regarding the Greenline/Urban Growth Boundary. Continued cooperation will help both jurisdictions to preserve substantial areas of open space in hillside and bayland (or wetland) areas as well as preserve agricultural lands. The preservation of these lands and resources are

of mutual concern to both City and County residents and will materially affect life in the City and the County now and in the future.

### **Greenline/Urban Growth Boundary Goals:**

1. Delineate the extent of future urban expansion and reinforce fundamental policies concerning the appropriate location of urban development in furtherance of both the City and County General Plans.
2. Promote fiscally and environmentally sustainable development in locations where the City can most efficiently provide urban services.
3. Preserve substantial areas of the surrounding hillsides, baylands, and other lands, as open space both to conserve the valuable natural resources contained on these lands and to protect valley floor viewsheds.
4. Protect public health and safety by preventing urban development in areas subject to natural hazards.
5. Provide greater long-term certainty regarding future land uses outside the Greenline/Urban Growth Boundary than is provided by the Urban Service Area boundary.
6. Preserve options for the optimal utilization of lands reserved for future urban growth, i.e., the City's Urban Reserves.
7. Achieve greater consistency between City and County land use plans and development policies for areas of mutual concern, both within and outside the Greenline/Urban Growth Boundary.

### **Policies:**

1. No urban development should extend outside of the Greenline/Urban Growth Boundary which separates those lands planned and reserved for urban uses

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from those that should remain rural in character.

2. The Greenline/Urban Growth Boundary should contain within it those lands suitable and appropriate for urban purposes including all Urban Service Area lands, the City's Urban Reserves, and certain lands located below the 15 percent slope line and deemed potentially suitable for future urban development.

### **Relationship to the Urban Service Area**

No expansion of the Urban Service Area should be permitted outside the Greenline/Urban Growth Boundary (G/UGB). The timing and extent of any Urban Service Area expansion within the G/UGB should remain consistent with current established policies, and guidelines and regulations of the City, County and Local Agency Formation Commission (LAFCO).

### **Modifications to the Greenline/Urban Growth Boundary**

1. The Greenline/Urban Growth Boundary is intended to be the ultimate limit to urban development in San José and all urban development should occur within this boundary. To ensure the long-term stability and integrity of this strategy, significant modifications to the Greenline/Urban Growth Boundary and its supporting policies should be strongly discouraged.
2. Any proposed modifications to the Greenline/Urban Growth Boundary location or supporting policies should be compatible with all applicable provisions of both the City and County General Plans.
3. Significant modifications to the Greenline/Urban Growth Boundary and its supporting policies may only be considered during a comprehensive

update of the General Plan involving a community task force similar to the San José 2020 General Plan Update process and only if the City Council makes certain findings regarding the following:

#### **a) Citywide Fiscal and Service Considerations**

- The City's fiscal condition is stable, predictable, and adequate in the long term according to a five-year economic forecast for the City which projects a balanced budget or budget surplus for each of the forecast years.
- The City is able to effectively provide and maintain urban services to existing residents and businesses at 1993 levels based on thorough fiscal analysis.

#### **b) Specific Modification Proposal Considerations**

- The effect of the proposed modification in terms of avoidance of inducing growth beyond the G/UGB or encouraging further modifications to it.
- The effect of the proposed modification in terms of avoidance of adverse impacts on viewsheds from the valley floor, other scenic views, wild land areas, agricultural lands, or open space preserves or parks.
- The necessity of the modification to achieve other important goals of the General Plan, such as improving the City's jobs/housing balance, while avoiding conflict with the overall purposes of the G/UGB and key General Plan goals and policies, such as encouraging infill development.



- The effect of the proposed modification on the City's ability to provide and maintain urban services to existing residents and businesses at least at 1993 levels as shown by a thorough urban services analysis.
- The effect of the proposed modification on the City's ability to maintain or improve its fiscal condition and the ability of any future development of the expansion area to generate sufficient revenues to meet its need for City services as shown in a fiscal analysis.
- The effect of the proposed modification on the adequacy of City resources available to serve lands proposed for inclusion within the G/UGB as well as adequately maintain services to land within the existing Urban Service Area as shown by a thorough fiscal analysis.

These findings will be codified under Title 18 of the Municipal Code which will govern the G/UGB modification procedures. The achievement of these findings shall not be deemed the sole grounds for approval of a significant modification of the UGB. The Council must additionally determine that the proposed significant modification of the UGB provides an overwhelming public benefit. The findings listed above should be considered for modification only during a comprehensive update of the General Plan.

4. Joint City/County community meetings and separate City and County public hearings should be conducted for any proposal to significantly modify the Greenline/Urban Growth Boundary or its supporting City or County General Plan policies. City and County staff should work together to establish broad

public notification provisions for these meetings.

5. Minor modifications to the Greenline/Urban Growth Boundary may be considered during the Annual Review of the City's General Plan if certain criteria are met. These criteria should address the following: the slope of the property; the size of the area affected; the location of the property relative to other existing or planned urban uses and the ability of the proposal to integrate with those uses; the environmental effect of the proposal; and, other pertinent factors. These criteria should be listed in Title 18 of the Municipal Code which will govern Greenline/Urban Growth Boundary modification procedures.
6. Minor modifications to the Greenline/Urban Growth Boundary surrounding the South Almaden Valley Urban Reserve may be considered when a specific plan for that area is being prepared under the conditions presently delineated in this General Plan.

#### **City and County Coordination and Cooperation**

1. The City and County should achieve greater consistency between their land use and development policies for the lands outside the Greenline/Urban Growth Boundary and should improve the referral and decision-making processes governing development proposals or policy proposals affecting these lands.
2. The City should establish a program to create new zoning districts for hillside areas and rezone those lands outside of the Greenline/Urban Growth Boundary under City jurisdiction to conform with the General Plan designations of these areas and to be consistent with the purposes of the Greenline/Urban Growth Boundary.

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3. The City and County should maintain their commitment to rural land use designations on lands outside the Greenline/Urban Growth Boundary and should only allow land uses consistent with the rural character of these lands.
4. The City and County should develop consistent implementation measures to achieve the goals and carry out the policies of the Greenline/Urban Growth Boundary.

### Urban Service Area

The City first adopted a set of Urban Development Policies in 1970 to direct development to those areas where services and facilities could be provided. Because these policies deal with the timing and staging of development and are so closely related to other General Plan growth management policies, they were incorporated into the Plan in 1976. The Urban Service Area goals and policies address services provided by the City as well as those provided by other public agencies, such as flood control, public schools and regional transportation.

The Urban Service Area policies are applicable to the entire development review process, including the annexation of territory to the City. As such, the implementation of these policies should be coordinated with the Local Agency Formation Commission (LAFCO).

### Urban Service Area Goal:

Insure that San José's future growth will proceed in an orderly, planned manner in order to provide efficient and economical public services, to maximize the utilization of existing and proposed public facilities, and to achieve the equitable sharing of the cost of such services and facilities.

### Urban Service Area Policies:

1. The General Plan designates an Urban Service Area where services and facilities provided by the City and other public agencies are generally available, and where urban development requiring such services should be located.
2. The Urban Service Area should be expanded only when it can be demonstrated that existing facilities and services are available and adequate to serve the proposed expansion area; adequate facilities are planned (i.e., in the adopted Capital Improvement Program or similar programs of other public agencies) and will be available when required; or all necessary facilities will be provided by the developer(s). Additionally, the Urban Service Area should not be expanded unless it can be determined that adequate resources, including operations and maintenance resources, will be available in the long term to maintain service levels citywide and that services to existing neighborhoods will not be reduced or jeopardized.
3. Expansions of the Urban Service Area into the South Almaden Valley and the Central Coyote Valley areas should be approved only in conformance with the respective Urban Reserve land use designations specifically applicable to those areas.
4. Development which is of a relatively small scale and which requires urban services may be approved outside the Urban Service Area under Planned Development Zoning if it conforms to all of the following criteria:
  - Located contiguous to the Urban Service Area boundary and adjacent to existing or committed urban development.

- Generally served by existing or programmed public facilities and services as required by the type of development proposed.
  - Has an existing urban land use designation.
5. Territory outside the Urban Service Area may be annexed to the City if its intended use will require minimal or no services and either:
- The intended use contributes to providing services to development in the Urban Service Area, such as a planned thoroughfare across non-urban territory or a solid waste disposal facility which should be located in a remote area; or
  - The annexation is necessary or desirable for the implementation of General Plan non-urban land use goals and policies, such as to accept dedication of an open space or scenic easement in connection with a hillside open space preservation program.
6. It is City, County and LAFCO policy that existing and future urban development should be located within cities. This policy should be implemented through the City's existing agreement with the County which requires that unincorporated properties within the Urban Service Area either annex to the City, if possible, or execute a deferred annexation agreement prior to approval of development. The City should also encourage the County and LAFCO to join in cooperative efforts to seek the annexation of urbanized County pockets within the Urban Service Area.
7. Since the provision of sanitary sewers is an urban service and development served by sanitary sewers is thereby urban, the expansion of sanitary sewer

districts is discouraged for areas planned in non-urban uses outside the Urban Service Area.

## **Urban Design**

The design of the community affects the quality of life, the character of neighborhoods, and the livability of the city. Members from all segments of the community are involved in the decision-making of the development review process which determines design. The multitude of decisions involved result in the final form and character of the city environment. The public's interest in fostering the highest quality of life is expressed through policies on urban design standards in order to incorporate aesthetic considerations in the development review process.

### **Urban Design Goal:**

Require the highest standards of architectural and site design, and encourage the use of "Green Building" techniques for all development projects, both public and private.

### **Urban Design Policies:**

1. The City should continue to apply strong architectural and site design controls on all types of development for the protection and development of neighborhood character and for the proper transition between areas with different types of land uses.
2. Private development should include adequate landscaped areas. Landscaped areas should utilize water efficient plant materials and irrigation systems. Energy conservation techniques such as vegetative cooling and wind shielding should also be utilized. All landscaped areas should include provision for ongoing landscape maintenance.

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3. Residential subdivisions should be designed to provide for internal circulation within neighborhoods, prevent through vehicular traffic from traversing neighborhoods, and encourage pedestrian and bicycle connections between neighborhoods and to adjacent commercial uses and transit facilities.
4. Residential developments which are adjacent to parks or open spaces should be encouraged to provide direct access to, and common open space contiguous to, such areas.
5. The design review process should take into consideration the long term maintenance ramifications of the design of private streets and other private infrastructure improvements.
6. Proposed structures adjacent to existing residential areas should be architecturally designed and sited to protect the privacy of the existing residences.
7. The City should require the undergrounding of distribution utility lines serving new development sites as well as proposed redevelopment sites. The City should also encourage programs for undergrounding existing overhead distribution lines. Overhead lines providing electrical power to light rail transit vehicles and high tension electrical transmission lines are exempt from this policy.
8. Design solutions should be considered in the development review process which address security, aesthetics and public safety. Public safety issues include, but are not limited to, minimum clearances around buildings, fire protection measures such as peak load water requirements, construction techniques, and minimum road widths and other standards set forth in relevant City Codes. All development projects should comply with the safety standards established in these referenced codes.
9. In order to maintain and protect the integrity, character and aesthetic environment of the streetscape in industrial, commercial, and residential neighborhoods, new billboards should be permitted only under Planned Development zoning and only where they do not create visual clutter and blight. The relocation of existing billboards from impacted areas to locations where they would have a less visually blighting effect should be encouraged.
10. The maximum building heights set forth are intended to address urban design considerations only. Other factors, such as compatibility with nearby land uses, may result in more restrictive height limitations. Building height, including all elements of a building whether occupied space or building features, should not exceed 50 feet, with the following exceptions:
  - **DOWNTOWN:** In the Downtown Core Area, the maximum building height is defined by the airspace requirements of the San Jose



International Airport as established by the Federal Aviation Administration. In the Downtown Frame Area, the maximum building height is 120 feet.

- **TRANSIT AREAS:** Within a reasonable walking distance of an existing or planned passenger rail station, the maximum building height shall not exceed 120 feet ("reasonable walking distance" is generally assumed to be approximately 2,000 feet along a safe pedestrian walkway). Along the Guadalupe Transit-Oriented Development Corridor, within the City/County Civic Center and for properties within reasonable walking distance of the light rail stations located within the boundaries of the North San Jose Area Development Policy, the maximum building height is 150 feet.
- **SPECIFIC PLAN AREAS:** The maximum building heights for Specific Plan areas are defined within each Specific Plan.
- **CITY AND MAJOR PUBLIC FACILITIES:** For City facilities, maximum building heights are determined by a City Council-approved master plan or a Site Development Permit. The maximum building heights for other major public institutions, such as hospitals, are determined in the context of a master Planned Development Zoning or master development permit.
- **SPECIFIC SITES AND GEOGRAPHIC AREA EXCEPTIONS:**
  - Single Room Occupancy buildings (outside the Downtown Core and Frame Areas), wholly or combined with commercial uses,

should not exceed 60 feet in height and should be compatible with adjacent uses.

- In the North San Jose/Rincon de Los Esteros Redevelopment Area, the maximum building height is 120 feet.
- In the portion of the North San José/Rincon de Los Esteros Redevelopment Area bounded by Brokaw Road to the south, Zanker Road to the east, Montague Expressway to the north, and along its western edge by Orchard Parkway north of Atmel Way and by Highway 101 south of Atmel Way, the maximum building height shall be defined by the airspace requirements of the San Jose International Airport as determined by the Federal Aviation Administration, but not to exceed 250 feet in any event.
- On the southeast corner of State Route 237 and North First Street, the maximum building height is 120 feet.
- On the north side of Ridder Park Drive, west of Coyote Creek, the maximum building height is 55 feet.
- At the northeast corner of Yerba Buena Road and Murrillo Avenue, the maximum building height is defined by the PD zoning PDC 80-11-279.
- At the southeasterly corner of Silver Creek Valley Road and U.S. Highway 101, the maximum building height is 120 feet.

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- In the North Coyote Valley Campus Industrial area, the maximum building height is 135 feet.
  - At Oakridge Mall along Blossom Hill Road between Santa Teresa Boulevard and Winfield Boulevard, the maximum building height is 70 feet.
  - For the property located at the southeast corner of Stevens Creek and Winchester Boulevards (generally known as Santana Row), the maximum building height is 120 feet for one hotel; one residential building including parking and/or commercial space; and one hotel or one building with residential units combined with parking and/or commercial space. The remainder of this site has a height limit of 90 feet, except for the easternmost edge which has a limit of 35 feet.
  - Along the east side of South Bascom Avenue between Interstate 280 and approximately 600 feet north of Fruitdale Avenue, the maximum building height is 95 feet.
  - A site generally bounded by Santa Clara Street, the Guadalupe River, San Fernando Street, and the Los Gatos Creek where the maximum building height is defined by the air space requirements of the San Jose International Airport as determined by the Federal Aviation Administration.
  - At the southwest corner of Winchester Boulevard and Moorpark Avenue, the maximum building height is 75 feet.
  - On the southwest corner of Coleman Avenue and Newhall Street (the FMC site), where building heights shall be defined by the airspace requirements of the San Jose International Airport as determined by the Federal Aviation Administration.
  - On the northeast corner of East Santa Clara Street and North 5th Street, where the building heights shall be defined by the airspace requirements of the San Jose International Airport as determined by the Federal Aviation Administration.
  - At the southeast corner of Jackson and Madden Avenues, the maximum building is 75 feet.
  - For properties generally bounded by Route 87, Highway 101, Karina Court and North First Street (excluding the properties constituting approximately 10.54 acres in the southwest corner of such area) the maximum allowable height is 150 feet.
  - For property located on the west side of North First Street at the westerly terminus of Component Drive, the maximum allowable height is 210 feet.
  - At a site generally bounded by Cottle Road to the west, Poughkeepsie Road/ Boulder Boulevard to the north, Monterey Highway to the east, State Route 85 and Manassas Road to the south (Hitachi Campus), the maximum building height is 120 feet.
11. For structures, other than buildings, where substantial height is intrinsic to the function of the structures and where such structures are located to avoid

significant adverse effects on adjacent properties, height limits may be established in the context of project review. For communication structures (such as towers, antennae, and monopoles, but not buildings) located outside the Downtown Core Area and regulated by the Public Utilities Commission, maximum height may be 100 feet on sites with non-residential or non-urban land use designations, and 160 feet on sites with an existing PG&E substation or high tension line corridor exceeding 200 KV, if all the following criteria are met:

- The site and structure are located to minimize public visibility.
  - The project provides visual amenities, such as landscaping, to offset the potential visual impacts associated with the project.
  - There is adequate evidence that technical necessity requires greater height and, in the case of cellular facilities, the increase height will result in a reduction in the number of future freestanding monopoles.
12. In order to preserve and enhance the scenic and aesthetic qualities of the natural terrain, development on slopes exceeding 7% should conform to the following guidelines:
- Planned Development zoning is preferable for its flexible design techniques such as clustering, variable lot sizes, and varying setbacks in order to maximize residential densities.
  - Construction techniques and housing types adaptable to a variable terrain, such as cluster housing, split pads and stepped foundations, should be

utilized where appropriate. Conventional, single flat-pad lots should ordinarily be discouraged.

- Consideration should be given to the siting of homes for privacy, livability, solar and wind conditions. Siting should take advantage of scenic views but should not create significant visual impacts affecting public places and other properties.
  - The preservation of existing trees, rock outcroppings and other significant features should be encouraged.
  - When grading or recontouring of the terrain is proposed, it should be done in such a way as to preserve the natural character of the hills, whenever possible.
  - Because street construction on slopes often requires a disruptive amount of grading, modified street sections designed for both utility and minimum grading should be encouraged.
13. At the edge of the Valley floor, development should incorporate loop streets and cul-de-sacs, rather than streets stubbed into lands planned for non-urban use in order to minimize development pressures on such non-urban areas.
14. New urban development should be designed to minimize impacts in areas with an established and permanent rural or semi-rural character, often typified by large-lot "ranchette" development.
15. In order to realize the goal of providing street trees along all residential streets, the City should:

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- Continue to update, as necessary, the master plan for street trees which identifies approved varieties.
- Require the planting and maintenance of approved varieties of street trees as a condition of development.
- Continue the program for management and conservation of street trees which catalogs street tree stock replacement and rejuvenation needs.
- Continue to work with volunteer urban forestry programs (San José Beautiful/Our Urban Forest) to promote tree planting and maintenance by residents.



16. When development is proposed adjacent to existing or planned parks or park chains, that development should include public park-frontage roads, wherever feasible, in order to maximize access to park lands, to provide a reasonable separation between urban land uses and park lands without the use of "back-up" design, and to maximize exposure of

park lands for scenic and security purposes.

17. Development adjacent to creekside areas should incorporate compatible design and landscaping including plant species which are native to the area or are compatible with native species.
18. To the extent feasible, sound attenuation for development along City streets should be accomplished through the use of landscaping, setback and building design rather than the use of sound attenuation walls. Where sound attenuation walls are deemed necessary, landscaping and an aesthetically pleasing design shall be used to minimize visual impact.
19. In the Downtown Core Area, a pedestrian orientation should be fostered by appropriate design techniques, including:
- The location of retail and commercial uses at street level.
  - Building entrances should be easily identifiable, accessible, and located on street frontages or paseos.
  - Improvements to sidewalks and other pedestrian ways should include attractive and interesting streetscape features such as street furniture, pedestrian scale lighting, pedestrian oriented signage, clocks, fountains, landscaping, and street trees that provide shade.
  - Development should have an attractive street presence at a pedestrian scale, creating an engaging and diverse walking environment.
  - Sidewalk elevators should be strongly discouraged in areas of high pedestrian usage.



- Sidewalks, plazas and other pedestrian ways should be spacious and of ample width.
  - Commercial uses oriented to occupants of vehicles, such as drive-up service windows, are discouraged.
20. As resources are available, the City should assign priority to the implementation of programs for the installation and maintenance of landscaping in median islands and back-up strips along major thoroughfares.
21. To promote safety and to minimize noise impacts in residential and working environments, development which is proposed adjacent to railroad lines should be designed to provide the maximum separation between the rail line and dwelling units, yards or common open space areas, offices and other job locations, facilities for the storage of toxic or explosive materials and the like. To the extent possible, areas of development closest to an adjacent railroad line should be devoted to parking lots, public streets, peripheral landscaping, the storage of non-hazardous materials and so forth. In industrial facilities, where the primary function is the production, processing or storage of hazardous materials, development should follow the setback guidelines and other protective measures called for in the City's Industrial Design Guidelines when such facilities are to be located adjacent to or near a main railroad line.
22. Design guidelines adopted by the City Council should be followed in the design of development projects.
23. In order to fully assess cumulative impacts on existing residential neighborhoods, proposals for the expansion or intensification of non-residential land uses in these neighborhoods should include a master plan depicting the planned uses of the project site plus contiguous properties with the same ownership as the project site. Examples of non-residential uses include hospitals, private schools, churches, and social service facilities.
24. New development projects should include the preservation of ordinance-sized and other significant trees. Any adverse affect on the health and longevity of such trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement.
25. In order to preserve and enhance the scenic and aesthetic qualities of rural areas located within the City's Sphere of Influence, the design and construction of public and private right-of-way improvements should conform to the following guidelines:
- Streets should be designed in consideration of the natural topography and the landscape. Divided streets and grade separations may be used.
  - Concrete sidewalks, curbs, and gutters should be constructed only when required by the topography. Crushed gravel walks and vegetation lined swales are encouraged.
  - Street lighting should be limited to intersections. High intensity lighting usually found in suburban and urban areas is inappropriate in these areas.
  - Man-made materials used within the public right-of-way should be softened through the use of finishes or colors to blend in with surroundings and look as natural as possible.

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- These standards are appropriate for areas designated Non-Urban Hillside, Rural Residential and Estate Residential.
26. Uses that discourage pedestrian activity and movement such as uses that serve the occupants of vehicles, i.e., drive-up service windows, are not considered appropriate along major transit thoroughfares without nearby light rail park and ride lots or freeway access. Uses that serve the vehicle, such as car washes and service stations, may be considered appropriate in these areas when they do not disrupt pedestrian flow, are not concentrated, do not break up the building mass of the streetscape, and are compatible with the planned uses of the area. In transit corridors with an accessible freeway and/or near light rail park and ride lots, drive-through uses may be allowed consistent with other goals and policies in the General Plan.
  27. Child care facilities should be considered in the design of transit-oriented projects and mixed use projects that are suitably located for such facilities.
  28. Child care needs should be considered when developing specific plans or other development strategies.
  29. To the extent practical, all new development should use construction products that are either made from recycled and/or salvaged materials, or can be reused and/or recycled.
  30. To the maximum extent feasible, all new commercial and industrial buildings should be designed for adaptability to other uses in the future.
  31. All streets should provide for pedestrian safety, convenience, and accessibility. Streets with high pedestrian volumes may require physical enhancements, such as medians, bulb outs, or other features, which narrow the crossing distance for pedestrians.
  32. Amenities should be added to create a pleasant walking environment. These measures include ample sidewalk widths, crosswalks, street furniture, pedestrian-activated crossing lights, and street trees.
  33. All developments should provide pedestrian friendly design features including, but not limited to, pedestrian pathways connecting public streets to building entrances and other features of the site. In addition, street trees and appropriate pedestrian scale lighting should be installed in developments within Pedestrian Priority Areas. Non-residential development should include street shade, pedestrian-oriented signage, and building entrances along the street frontage. Within the public right-of-way, pedestrian-oriented signage could include "trailblazer" signs.
  34. To create a more pleasing pedestrian environment, building frontages should include design elements with a human scale, varied and articulated facades, and entries oriented to public sidewalks or pedestrian pathways. Windows and/or entries should be provided along sidewalks and pathways.
  35. New development should increase neighborhood connectivity by providing access across natural barriers (i.e., rivers) and man-made barriers (i.e., freeways).

### Hillside Development

This section of the General Plan serves to consolidate and elaborate on the policies of the Plan that are most closely related to hillside development. The hillsides of San José are an important visual and natural resource and the policies of the General Plan generally seek to preserve this resource. Hillside areas are also subject to potential

seismic, landslide, fire, and other environmental hazards which can create risks to public safety, expose public facilities and private development to potentially significant damage, and require extraordinary public services costs. For these reasons, General Plan policies typically limit urban levels of development to those areas of the hillsides ringing the valley floor that are located below the 15% slope line and that are proven to be stable and appropriate for development.

In some cases, however, historic development patterns have allowed some urban development above the 15% slope line primarily in the East Foothills of the City in the Berryessa, Alum Rock, and Evergreen Planning Areas. The Urban Hillside land use designation encompasses most of these areas. In addition, there are several hillside areas of the City that are outside or isolated from the main hillsides that ring the valley floor but that are within the Urban Service Area of the City. These areas, such as the Communications Hill and Silver Creek areas, allow some urban development above to 15% slope line but only where development is located to avoid adverse visual and environmental impacts and to ensure that such development maintains the overall integrity of the main hillsides ringing the valley floor in conformance with the Greenline Major Strategy. The purpose of the following hillside development policies is to guide the development of hillside areas with slopes of 7% or greater and, to the extent that such development is permitted, to minimize the exposure of people and property to environmental hazards and to ensure that potential damage to the hillsides is minimized. The Hillside Development Policies are meant to guide development in these environmentally sensitive areas.



**Hillside Development Goal:**

Preserve the valuable natural resources of the hillsides and minimize the exposure of the public to potential environmental hazards associated with development on the hillsides.

**Hillside Development Policies:**

1. Regardless of the maximum potential residential densities designated by the Land Use/Transportation Diagram for land with a slope of 7% or greater, the City should only allow the development of these lands at densities consistent with the City's objectives of minimizing exposure to environmental hazards, maximizing resource conservation, and achieving compatibility with existing land use patterns.
2. Clustering of residential development in hillside areas should be encouraged to minimize the exposure of development to environmental hazards and maximize the preservation of natural resources in the hillsides.
3. Hillside residential development at urban densities (one dwelling unit per acre or greater) should be located only where adequate services and facilities can be feasibly provided and damage to such services and facilities, due to landslides, fire or other environmental hazards, can be reasonably avoided.

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4. The City should continue to apply strong architectural and site design controls on all types of hillside development for the protection of the hillsides and to minimize potential adverse visual and environmental impacts.
5. Planned Development zoning should be used to govern hillside developments since it allows flexible design techniques such as clustering, and varying lot sizes, and setbacks which can help to minimize damage to the natural environment and maximize resource preservation.
6. In general, grading on hillsides should be minimized. When grading or recontouring of the terrain is necessary, it should be designed to preserve the natural character of the hills and to minimize the removal of significant vegetation.
7. Because street construction on slopes often requires a disruptive amount of grading, modified street sections designed for both utility and minimum grading are encouraged.
8. Construction techniques and housing types adaptable to a variable terrain, such as cluster housing, split pads and stepped foundations, should be utilized on sloped sites. Conventional, single flat-pad construction is discouraged.
9. Consideration should be given to the siting of homes for privacy, livability, adequate solar access and wind conditions. Siting should take advantage of scenic views but should not create significant visual impacts affecting public places and other properties.
10. The preservation of existing trees, rock outcroppings and other significant features is encouraged.
11. Where urban development is permitted above the 15% slope line due to historic patterns of land use and development, no new construction should occur on ridge-lines or on slopes exceeding 30% that are part of the major hillside areas or ridges that surround the valley floor.
12. The City encourages the preservation of hillside vegetation and, if vegetation must be removed, it should require appropriate revegetation and planting projects in hillside areas.
13. Development should only be permitted in hillside areas if potential danger to the health, safety, and welfare of the residents, due to landslides, fire, or other environmental hazards, can be mitigated to an acceptable level.
14. The City should require soils and geologic review of hillside development proposals to assess such potential hazards as seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion and sedimentation in order to determine if these hazards are present and can be adequately mitigated. Geotechnical studies for hillside development proposals should determine the actual extent of seismic and other hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location. Hillside development should incorporate the identified mitigation measures necessary to protect public safety and the natural environment.
15. Hillside development within areas of potential geological hazards should be designed to avoid being endangered by, or contributing to, the hazardous conditions on the site or on adjoining properties.
16. To avoid any extraordinary maintenance and operating expenses, the City should not locate public improvements, communication facilities, and utilities in hillside areas with identified soils and/or geologic hazards. When the location of public improvements, communication facilities, and utilities in such areas

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cannot be avoided, effective mitigation measures should be implemented to maximize their potential to remain functional during and after a seismic event.

17. In hillside areas susceptible to erosion, appropriate control measures should be required in conjunction with proposed development.
18. The Development Review process for projects in hillside areas should consider the potential for any extraordinary expenditures of public resources to provide emergency services in the event of a man-made or natural disaster. ■

## HOUSING

This section contains the goals and policies that most directly pertain to housing issues in San José. It is important to remember, however, that San José 2020 is a fully integrated General Plan with each individual element designed to support the other elements of the Plan. To fully understand San José's approach to providing opportunities for housing, many other sections of the General Plan must be considered. These include the Housing Major Strategy, other relevant goals and policies (e.g., City Concept, Community Development, Residential Land Use, etc.), the Land Use/Transportation Diagram and Land Use Designations, the Special Strategy Areas (such as the Transit-Oriented Development Corridors and the Housing Initiative), the Discretionary Alternate Use Policies, and the Implementation section.

The intent of the Housing goals and policies is to help improve San José's existing housing resources and to meet the housing needs of all segments of the community. While the specifics of the City's housing conditions have changed over time, several underlying problems have remained constant (for an analysis of housing conditions, see the Housing Appendix to the General Plan).

These problems include: (1) the rising cost of purchasing housing, (2) imbalances in the supply and demand for housing, (3) the existence of substandard housing units, (4) the existence of overcrowded housing units, (5) concentrations of low income families, racial and ethnic minority groups and federally-assisted and publicly-leased housing, and (6) higher rental costs even though there is increased production of rental housing.

The provision of new low-cost housing historically relied on substantial State and/or Federal subsidies. Dependence on these subsidies has declined as State and Federal housing programs have been cut back. The City has attempted to offset these reductions with local revenue for housing, particularly mortgage revenue bonds and Redevelopment 20% tax increment monies. The City intends to utilize, when available, State and/or Federal housing programs and cooperative efforts with the private sector that will enable it to more effectively pursue the objective of providing a mix in new residential development. The City of San José Consolidated Plan contains a housing needs assessment and describes the City's financial resources and programs to increase housing opportunities to meet these needs. The City's housing program, including quantified objectives for rehabilitation and production of units for low and moderate-income households, as referenced in the Consolidated Plan, is set forth in the Implementation Section of this Plan.

Given the constraints on available housing resources, greater cooperation and coordination will be required between government, financial institutions, and housing providers to meet housing needs. All these groups must work together to maximize and efficiently use the resources available for affordable housing. The Residential Land Use policies and the Land Use/Transportation Diagram support a more

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equitable distribution of housing densities to provide a mix of housing types and price levels.

The Housing goals and policies seek to increase the City's housing supply through the development of vacant land and the reuse of under utilized properties designated for residential use. More intensive residential and mixed use development is directed to key locations such as the Housing Initiative Area or Transit-Oriented Development Corridors which have existing or planned transit facilities. Transit-oriented housing helps households of all income categories.

### Housing Goals:

1. Offer the people of San José, when seeking housing, an equal opportunity to live in economically and ethnically/ racially mixed neighborhoods.
2. Provide decent housing in a livable environment for all persons, including the homeless, regardless of such factors as age, race, sex, marital status, ethnic background or income.
3. Provide housing sites and structures by location, type, price and tenure that respond to the needs of all economic segments of the community. Housing type may include alternative housing forms such as shared housing.
4. Increase housing opportunities for lower income families through the goals and policies of this General Plan, and through the City's housing programs identified in the Consolidated Plan and the General Plan.
5. Incorporate good design, foster aesthetics, and promote usable open space, and encourage use of alternative energy sources and energy conservation techniques in residential development.
6. Promote the cooperation of public and private sectors of the economy to expand

housing opportunities and to provide housing which:

- Complies with the provisions of the Building Code and the Housing Code.
  - Is adequately insulated and reasonably energy efficient.
  - Is within the economic means of the households who occupy it.
  - Is available to all persons and not subject to discriminatory practices.
  - Is situated in an environment which does not endanger the health, safety or well-being of its occupants.
  - Provides convenient access to employment as well as to adequate services and facilities.
  - Promotes and encourages pedestrian, bicycle and transit use.
7. Promote the rehabilitation of deteriorating housing.

### Housing Policies:

#### Distribution

1. The City encourages a variety and mix in housing types to provide adequate choices for housing to persons of all income levels in San José. Where appropriate, implementation of this policy in large-scale development projects should be considered.
2. In recognition of the positive contribution of City-financed affordable housing developments to any neighborhood, no area of San José should be arbitrarily precluded from consideration as a site for assisted housing. In evaluating a proposed development for potential City

financing, an analysis should be conducted of the household income of the subject Census Tract, the proximity of other City-financed housing projects, the proposed development's contribution to the area's improvement, and its relationship to Council-adopted plans and strategies. Certain Census Tracts contain a disproportionate number of lower income households, especially in Districts 3 and 5, which already have a high percentage (more than 50%) of households with low and very low incomes. Projects proposed to be located within or adjacent to any "impacted" Census Tract(s) should be considered carefully on a case-by-case basis.

3. To facilitate the integration of households with various incomes into all neighborhoods and the diversification of the housing stock, the City encourages the dispersal of affordable housing throughout San José. The City should regularly review its progress in achieving the goal of a more equitable distribution of affordable housing on a five year cycle consistent with the Five-Year Housing Investment Plan and the General Plan Housing Element update.
4. In furtherance of the balanced community and economic development goals of this Plan, the City encourages the production of middle and upper-income housing in all the community's planning areas.
5. Single-Room Occupancy (SRO) developments are an important and necessary component of the City's affordable housing stock. SROs should be planned and dispersed throughout San José. While SROs are allowed in the Frame Area, they are discouraged in the Downtown Core Area. All SROs should be within a reasonable walking distance of public transportation, have an approved management plan, and have standard amenities such as a communal

kitchen, laundry facilities, and meeting space on site. (A reasonable walking distance is defined as approximately 2,000 feet along a safe pedestrian route).

### **Discrimination**

6. For purposes of this Plan, including the rehabilitation, production, residential land use and other housing-related policies, no distinction should be made between conventionally constructed housing and manufactured housing, including mobilehomes.
7. The City should foster compliance with State and Federal law prohibiting discrimination in housing.
8. "Red-lining" and any other discriminatory practices by private sector lending institutions in the financing of housing purchase and rehabilitation should be discouraged.

### **Conservation and Rehabilitation**

9. Conservation and rehabilitation of the existing housing stock is an important means of meeting the objective of providing housing opportunities for all San José residents. In furtherance of this policy, most neighborhoods are designated on the Land Use/Transportation Diagram at existing densities to provide an incentive for the preservation and maintenance of the housing stock.
10. To maintain the supply of low-priced housing and to avoid disproportionate hardships on those who need low-priced housing, conservation of the housing stock should be accomplished through a balanced program of housing code enforcement and complementary programs such as rehabilitation loans and grants.

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11. Extension of mortgage credit for rehabilitation loans by private sector lending institutions should be fostered.
12. As part of the rehabilitation of existing housing units, the installation of insulation and other retrofit techniques should be promoted to reduce energy use.

### Low/Moderate Income Housing

13. The City should stimulate the production of very low-, low- and moderate-income housing by appropriately utilizing State and Federal grant and loan programs, City Redevelopment 20% tax increment funds, mortgage revenue bonds, and such other local programs as are authorized by law.
14. The City should foster the production of housing to serve the "starter" housing market through mortgage revenue bonds, Mortgage Credit Certificates and other low and moderate-income housing programs.
15. The City should study alternative means of encouraging new mobilehome parks, especially family parks and parks suitable for the relocation of older mobilehomes.
16. The City should explore available options for the protection of existing mobilehome parks, including public participation.
17. To facilitate the geographic dispersal of housing units affordable to low and moderate-income households and to promote the production of such housing, the Discretionary Alternate Use policies provide for the approval of low- and moderate-income housing at densities other than that shown on the Land Use/Transportation Diagram.
18. To take advantage of a potential source of affordable housing, and to assist the City in meeting its housing needs as identified in the City of San José

Consolidated Plan, the City should consider revising its policies and regulations to allow second units on single family lots provided that parking and other possible impacts on the surrounding neighborhood can be satisfactorily mitigated.

### Rental Housing Supply

19. The City should regulate conversions of rental apartments to condominium or community apartment projects in order to maintain a reasonable balance of rental and ownership housing and an adequate supply of rental housing for low- and moderate-income families.
20. To promote the production of rental housing, the Discretionary Alternate Use policies provide for the approval of rental housing projects at densities other than that shown on the Land Use/Transportation Diagram.
21. Investment in rental housing by private sector lending institutions should be encouraged.
22. Construction of new affordable rental housing units should be fostered by incentives which include the leveraging of local, state, and new federal funds.
23. The City will support federal regulations which preserve "at-risk" subsidized rental units subject to potential conversion to market rate rents and will encourage equitable and fair policies which protect both tenant and owner rights.

### Design Review

24. The City is receptive to the development of new and less expensive building materials and techniques which meet building code.
25. Where appropriate, the rehabilitation and conversion of commercial and industrial





- structures into housing should be promoted.
26. Recognizing that the development review process can affect the price and availability of housing, the City is committed to minimizing unnecessary processing time in the development review function.
- Administrative**
27. The City should work in close cooperation with other entities, public and private, to foster information, techniques and policies to achieve the housing goals of this Plan and make such information readily available.
28. The City should, as a matter of policy, support legislation at the State and Federal levels that: (1) furthers the City's objective of conserving and rehabilitating the existing housing stock, (2) provides for the greatest local autonomy in the administration of State and Federal housing programs, (3) encourages and facilitates private sector investment in housing affordable to households of extremely-low, very low-, low- and moderate-income, particularly rental housing, and (4) encourages the production of low-cost housing for families with children.
29. The provision of housing counseling services to San José residents should be encouraged.
30. The City's housing program revenues, including mortgage revenue bonds and the Redevelopment 20% tax increment funds, should be used efficiently.
31. Condominium or cooperative ownership of mobilehome parks should be encouraged where appropriate.
32. A vigorous code compliance effort is an integral and necessary element of a successful housing program and should be encouraged in San José.
33. The policies of the General Plan and Consolidated Plan should be carefully coordinated and implemented to maximize opportunities for the improvement, preservation, and development of affordable housing.
34. An affordable housing component should be evaluated in the preparation of specific plans, master plans, or strategy plans, and affordable housing should be incorporated into these plans if feasible.

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### Support Services

35. Homeless shelters should be encouraged to provide child care facilities so parents can seek work or permanent housing.
36. The City should explore programs to address child care needs in assisted housing projects as well as to address the needs of children living in poverty. ■

### SERVICES AND FACILITIES

An important component of the quality of life enjoyed by the residents of San José is the quality of the public services and facilities provided by the City. Concern for the effect of growth and development on the levels of municipal services is a fundamental element of the City's land use planning philosophy.

Population and economic growth cause increases in the demand for municipal services. Factors which affect the impacts on the provision of services are the revenue generating potential and geographic location of growth. In general, development in outlying areas is more costly to serve than the same amount of development in infill locations. Commercial and industrial land uses typically generate more revenue than service demand costs, while the opposite is usually true for residential land uses.

The General Plan identifies specific service level goals for several major categories of urban services that are provided by the City. For these infrastructure facilities General Plan level of service policies require that the goals be met by individual projects. The General Plan level of service policies for transportation (streets), storm and sanitary sewers and sewage treatment are each based on the capacity of infrastructure systems. To maximize the efficiency of the sanitary sewerage and sewage treatment systems, the City is developing water conservation and

reclamation programs and will coordinate these activities with the Santa Clara Valley Water District and the Water Pollution Control Plant tributary agencies. These level of service policies are applied to proposals for new development, whose contribution to the cumulative demand for capacity can be quantitatively estimated and appropriate mitigation measures, if any, identified. These mitigation measures may include National Pollution Discharge Elimination System (NPDES) permit requirements to minimize pollution of San Francisco Bay and the reduction of discharges through the City's water reclamation programs.

Other City facilities and services, including police and fire protection, parks and recreation facilities, and libraries, are also important in defining the community's quality of life. The General Plan's level of service goal for these services is qualitative and seeks to achieve service levels supportive of a desired living environment. These facilities and services can be impacted by new growth. In particular, the gross amount and location of development are significant factors. However, it is difficult to establish a direct correlation between an increment of growth represented by an individual development proposal and the additional demand and cost for these public services. Therefore, the impacts of individual projects on these services as well as on the operation and maintenance of infrastructure are not quantified in the General Plan.



The level of Police, Fire, Parks and Library services provided to the community is determined annually by the City Council through the budgetary process when competing needs for available resources can be weighed. The level of service policies do, however, identify specific Citywide service level measures to be used as benchmarks to evaluate major General Plan land use and policy changes, and can be used to evaluate the cumulative impacts of land use changes and development which should be reviewed annually. These benchmarks are not intended as thresholds for assessing environmental impacts under the California Environmental Quality Act.

The General Plan includes a level of service policy regarding flood control although the City is not responsible for providing this service. Flood control is the responsibility of the Santa Clara Valley Water District (SCVWD) and interfaces directly with the City's storm drain system. It is City and SCVWD policy that all urban development be protected from flood damage.

While the provision of basic education is not a City responsibility, the City does recognize that it is in the best interests of all citizens of San José that public schools, an important part of the urban living environment, be reliably funded and have adequate facilities for educating students. Quality education benefits the entire City and all citizens and is

only ensured when school districts have a reliable source of funding for programs and facilities. The City of San José recognizes that land use decisions and policies impact school operations.

The State and school districts are responsible for providing and maintaining the school facilities that serve the City's children. In addition to funding provided by the State legislature and the approval of bond measures by the voters, State law currently allows school districts to collect limited development fees to help provide facilities for the students generated by new residential development. The school districts have indicated that these combined sources of funds are often not adequate to provide the needed school facilities. School districts should explore all the methods within their powers to efficiently use or reuse school facilities and resources. Options the school districts could consider include adjusting attendance area boundaries or the consolidation of some districts to facilitate the efficient delivery of school services.

Goals and policies for infrastructure management, transportation and solid waste which are not related to service levels are set forth in the Infrastructure Management, Transportation and Solid Waste Subsections, respectively, below. Goals and policies for parks and recreation which are not related to service levels are set forth in the Aesthetic, Cultural and Recreational Resources Section, Parks and Recreation Subsection of this Chapter.

### Level of Service

The services and facilities most directly related to growth and development are sewage treatment, sanitary and storm sewers, transportation and flood protection. These services and facilities are essential to the successful development of individual projects and to the City's ability to

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accommodate economic development citywide. Police and fire protection, parks and recreation, and libraries are other services important to the City as a whole but these services do not have a necessary functional relationship with each individual development project. The City is directly or indirectly involved in the provision of these services, with several local, regional and State agencies sharing in the responsibility and authority for some of these services as well.

### Level of Service Goals:

1. Provide a full range of City services to the community at service levels consistent with a safe, convenient, sustainable and pleasant place to live, work, learn and play.
2. Achieve the following level of service for these City services:
  - For transportation, level of service "D".
  - For sanitary sewers, level of service "D".
  - For sewage treatment, to remain within the capacity of the Water Pollution Control Plant.
  - For storm drainage, to minimize flooding on public streets and to minimize property damage from storm water.

### Level of Service Policies:

1. The City's urban service delivery priorities should be ordered as follows:
  - Provide services and facilities designed to serve existing needs.
  - Prevent the deterioration of existing levels of service.

- Upgrade City service levels, when feasible.
2. Capital and facility needs generated by new development should be financed by new development. The existing community should not be burdened by increased taxes or by lowered service levels to accommodate the needs created by new growth. The City Council may provide a system whereby funds for capital and facility needs may be advanced and later repaid by the affected property owners.
  3. The Urban Service Area should not be expanded without taking into consideration the funding necessary to adequately provide for the long term, without degrading services in the existing urban areas, for all City services and facilities including operations and maintenance required by the development anticipated in the area proposed for expansion.
  4. The City should be proactive in promoting consolidation of overlapping services between governmental jurisdictions where it would increase efficiency and quality of service delivery, both Countywide and regionally.

### Traffic

5. The minimum overall performance of City streets during peak travel periods should be level of service "D".
  - In recognition of the City's Smart Growth strategies and interest in creating and maintaining a livable community, San Jose is planning a balanced, multi-modal transportation system. Livable streets that accommodate vehicular as well as appropriate pedestrian, bicycle, and transit facilities are an important

component of this transportation system.

- Development proposals should be reviewed for their measurable impacts on the level of service and should be required to provide appropriate mitigation measures if they have the potential to reduce the level of service to "E" or worse. These mitigation measures typically involve street improvements. When the mitigation for vehicular traffic compromises community livability by removing street trees, reducing front yards, or creating other neighborhood impacts, then improvements to transit, bicycle, or pedestrian facilities may be considered in combination with more appropriate street improvements to meet the level of service standard.
- To strengthen the neighborhood preservation strategy and objectives of the Plan, the City Council may adopt a Council Policy which establishes alternate mitigation measures, including improvements to transit, bicycle, and/or pedestrian facilities, for projects whose required traffic mitigation would result in an unacceptable impact on an affected neighborhood or City street.
- An "area development policy" may be adopted by the City Council to establish special traffic level of service standards for a specific geographic area which determines development impacts and mitigation measures. These policies may take other names or forms to accomplish the same purpose. Area development policies may be first considered only during the General Plan Annual Review and Amendment Process; however, the hearing on an area development policy may be continued



after the Annual Review has been completed and the area development policy may thereafter be adopted or amended at a public meeting at any time during the year. The City Council has adopted three Area Development Policies for Evergreen, North San Jose, and Edenvale. (See Chapter V. Land Use Plan, Special Strategy Areas, Area Development Policies.)

- In recognition of the substantial non-traffic benefits of infill development, small infill projects may be exempted from traffic mitigation requirements.
- In recognition of the unique position of the Downtown Core Area as the transit hub of Santa Clara County, and as the center for financial, business, institutional and cultural activities, development within the Downtown Core Area Boundary is exempted

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from traffic mitigation requirements. Intersections within and on the boundary of this area are also exempted from the level of service "D" performance criteria. Sanitary Sewer System.

### Sanitary Sewer Systems

6. The minimum performance standard for sanitary sewer lines should be level of service "D", defined as restricted sewage flow during peak flow conditions. Development which will have the potential to reduce the downstream level of service to worse than "D", or development which would be served by downstream lines already operating at a level of service worse than "D", should be required to provide mitigation measures to improve the level of service to "D" or better. In recognition of the substantial non-sewer benefits of infill development, small infill projects may be exempted from sewer mitigation requirements.

### Sewage Treatment

7. The City should monitor and regulate growth so that the cumulative sewage treatment demand of all development can be accommodated by San José's share of the treatment capacity of the San José/Santa Clara Water Pollution Control Plant.
8. The operation of the Water Pollution Control Plant should comply with the water quality standards for the South San Francisco Bay established by the Regional Water Quality Control Board and implemented through NPDES (National Pollution Discharge Elimination System) permits.
9. The City should continue to encourage water conservation programs which result in reduced demand for sewage treatment capacity.

10. Reductions in demand for sewage treatment capacity resulting from water conservation programs should be factored into projections of future demand only after several years' experience with such programs.
11. The City should seek the adoption of the above sewage treatment policies by the other tributary agencies served by the San José/Santa Clara Water Pollution Control Plant.

### Storm Drainage and Flood Control

12. New projects should be designed to minimize potential damage due to storm waters and flooding to the site and other properties.
13. In designing improvements to creeks and rivers, adjacent properties should be protected from flooding.
14. The "modified floodplain design" is the preferred design for future flood control facilities. The "widen-one-bank" and "trapezoidal channel" designs should only be used when funding or right-of-way limitations make the use of the modified flood plain design impractical.
15. The City should continue to cooperate with other public and private jurisdictions and agencies to coordinate emergency response and relief efforts in case of flooding.

### Other Services

16. Utilize the following Citywide level of service measures as benchmarks to be used to evaluate major General Plan land use and policy changes, such as expansions of the Urban Service Area or land use changes from non-residential to residential:
  - For police protection, achieve a response time of six minutes or less for 60 percent of all Priority 1 calls,



achieve a response time of eleven minutes or less for 60 percent of all Priority 2 calls.

- For fire protection, a 4-minute average response time to all calls.
- For parks and recreation: 3.5 acres of neighborhood and community serving recreational lands per 1,000 population, of which a minimum is 1.5 acres of neighborhood, community or locally serving regional/City-wide park lands and up to 2 acres of school playgrounds, and all of which is located within a reasonable walking distance of the project; 7.5 acres of regional/City-wide park lands per 1,000 population; and 500 square feet of community center floor area per 1,000 population.
- For libraries, 2.75 volumes (items) held in the San Jose Public Library system per capita, and .59 square feet of library space per capita.

The City recognizes that these performance measures are limited reflections of all City services and may change over time to reflect increasing diversity, new methods of service delivery or to reflect changing needs and priorities that are determined in the budgetary process. The details of these performance measures may also be addressed in the new or existing service planning documents of the relevant City departments that provide these services.

17. In reviewing major land use or policy changes, the City should consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.
18. Fire service facilities should be located so that essential services can be most efficiently provided.
19. The City should consider providing for child care uses in future community centers recognizing that child care is an important community support service.
20. For solid waste management, the City should seek to exceed 50% diversion of waste from disposal, maintain 20 years of landfill capacity, and provide for storage and collection of recyclables from every location where solid waste is generated.

### **Schools**

21. The City supports a system of open communication between the City, the public school districts and the development community in order to coordinate the activities of each to achieve the highest quality of education for all public school students.
22. Residential development should be approved only in conformance with the School Facility Availability Ordinance and City Council Policy. The City encourages school districts and developers to engage in early discussions regarding the nature and scope of proposed projects and possible fiscal impacts and mitigation measures. These discussions should occur as early as possible in the project planning stage, preferably immediately preceding or following land acquisition.
23. The City should cooperate with school districts in identifying and evaluating the impacts of population and demographic

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changes which may affect the need for new schools, may lead to school closures, may require the re-opening of closed schools or may lead to the decision that existing school sites should be preserved for meeting future needs.

24. The City should support legislative efforts to create suitable and adequate means of financing the construction of school facilities needed for a growing population.
25. The City and school districts should cooperate in the joint planning, development, and use of public school facilities combined with other public facilities and services, such as open space, recreation facilities, libraries, fire stations, and community service/programs. The City should provide all pertinent information on General Plan amendments, rezonings and other development proposals to all affected school districts in a timely manner.
26. The City should encourage the use of available school facilities for child care purposes.

### Infrastructure Management

Maintenance of San José's infrastructure facilities (streets, sewer lines, storm drains, etc.) is an important component of the urban services provided by the City. Well maintained infrastructure makes a city a desirable place to live and work, and contributes to its prosperity. As most of San José's infrastructure was built in the decades

of the 1950s, 1960s and 1970s, considerable effort will be required to maintain or rehabilitate this infrastructure in the future.

The City recognizes this changing need and has responded by developing an Infrastructure Management System (IMS). The IMS provides the information necessary to monitor and schedule the maintenance, repair, rehabilitation and replacement of sewers, public buildings, streets, and traffic control devices.

### Infrastructure Management Goal:

Manage City resources efficiently in order to maintain existing infrastructure and facilities and avoid unnecessary replacement costs.

### Infrastructure Management Policies:

1. The City's Infrastructure Management System Program should be utilized to identify the most efficient use of available resources to maintain the City's infrastructure and minimize the need to replace this infrastructure.
2. The City should explore new methods to supplement the City's existing resources devoted to the operation and maintenance of its infrastructure and facilities.

### Transportation

The provision of an adequate transportation system to serve all areas of San José is a primary planning issue in the community. Commute travel times and distances for the residents of San José are among the longest anywhere in the region. This commute pattern is the result of many years of unconstrained and imbalanced growth throughout Santa Clara County, with primary employment centers located in the North County cities, and San José developed as the "bedroom community" providing



housing for a large percentage of those workers. This jobs/housing imbalance, together with delays in the completion of key portions of the planned transportation network (Routes 85, 87 and 237), has resulted in severe peak hour congestion on freeways, expressways and arterial streets throughout the County. The extent of this congestion has lengthened the peak "hour" period and caused commute traffic to seek alternate routes through the community, including neighborhood streets.

Most of the unbuilt major links in the County's transportation network are assumed to be completed during the time frame of this plan.

Funding to complete improvements for Routes 85, 87, and 237 will be provided through a variety of funding measures. The Guadalupe Corridor light rail transit line will be joined by new light rail transit facilities along Tasman Avenue, Capitol Avenue/Expressway, Stevens Creek Boulevard/West San Carlos Street, Santa Clara Street, and the Vasona Corridor to create an extensive light rail system accessible to large portions of the County. These improvements will also be funded through a variety of funding measures. The completion of these major facilities is critical to the future of the City's overall transportation system.

One of the most efficient ways of maximizing the use of the transportation network is by implementing a "reverse commute" whereby the numbers of workers who travel to jobs located in the southern part of San José are increased. The Edenvale and North Coyote Valley industrial areas provide opportunities for many thousands of workers to work closer to their homes and to travel in the off-peak direction to their jobs.

Traffic congestion and transportation planning are regional concerns which cannot be addressed by San José or any community

alone. The State has adopted legislation requiring urbanized counties, such as Santa Clara County, to develop and implement Congestion Management Programs (CMP) to ensure that regional transportation facilities perform adequately now and in the future. San José has taken a leadership role in the development of Santa Clara County's CMP and has worked closely with the County Congestion Management Agency in developing techniques to minimize traffic congestion and improve air quality. These techniques include citywide Transportation Demand Management (TDM) and Transportation Systems Management (TSM) programs. In addition, San José has developed the County's first CMP deficiency plan for the North San José industrial area. This plan identifies actions such as TDM/TSM and physical improvements to support non-automobile commute alternatives to reduce area congestion.

Various TSM/TDM programs are already functioning throughout the County including carpooling and vanpooling, park and ride facilities, and High Occupancy Vehicle (HOV) lanes on area expressways and freeways. General Plan policies support the development of these measures as well as the encouragement of private sector participation and implementation of appropriate and similar programs such as car/vanpooling, preferential parking, staggered work hours/flextime and the like. The City encourages employers to promote and coordinate the use of transportation alternatives which would reduce the number of their employees commuting alone in their vehicles.

The transportation needs of the City associated with both new development and redevelopment should be met through the implementation of transportation policies which foster safe and efficient movement for person travel and delivery of goods. The Transportation policies contained herein

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describe how these objectives should be met through the improvement of both the roadway system itself as well as the various modes of transportation available to the City's residents. Related to these policies is the Transportation Level of Service policy (see the previous section) which requires new development to mitigate measurable impacts on intersections. The Transit-Oriented Corridors, the Area Development Policies, and the Golden Triangle define several Special Strategy Areas, distinguished by the innovative integration of transportation projects, land use programs and/or Transportation Systems Management techniques. Details on these Special Strategy areas are set forth in Chapter V, Special Strategy Areas Section, Transit-Oriented Development Corridors, Area Development Policies, and the Golden Triangle Area Subsections.

The San José International Airport, owned and operated by the City, serves as the primary commercial airport for the metropolitan area. Its location near the center of the urbanized North Santa Clara Valley makes this a convenient facility for metropolitan area businesses and residents. An Airport Master Plan has been adopted to guide the physical development of the facility through 2010. The Master Plan is based on forecasted increases in passenger volumes (from over 10 million annual passengers in 1996 to 17.6 million by 2010) as well as increases in air freight, air cargo and mail. San José International Airport also provides a major share of the County's general aviation facilities, and is particularly well suited for larger corporate aircraft. Expansion and improvement of the passenger terminal complex freight/cargo facilities, airfield and general aviation facilities are set forth in the Airport Master Plan approved by the City Council in 1997.

After World War II, San Jose experienced rapid suburban growth oriented to the

automobile. As the City moves towards mixing appropriate land uses together, intensifying land use development along transit corridors and near transit stops, and creating more linkages between neighborhoods, walking should become a more important mode of transportation. The intent of the Pedestrian Facilities policies is to create a pedestrian friendly environment for the City that is safe, convenient, accessible to people with disabilities, and pleasant. San Jose should be a pleasant place to walk, encouraging people to walk rather than drive.

Bicycling can provide an advantageous alternative mode of transportation to the City and its residents. Bicycles are relatively inexpensive to own and operate and bike routes and bicycle parking facilities are likewise relatively inexpensive to construct and maintain. Bicycles are also the most energy efficient form of transportation and do not cause air pollution or contribute significantly to traffic congestion. The two key elements which are necessary to successfully promote bicycle usage are safe, direct bicycle routes and abundant bicycle parking facilities at a variety of employment, commercial, residential, and recreational destinations. In particular, bicycle parking facilities at light rail stations and near bus stops can significantly increase the convenience of transit.

Bicycling can provide not only an alternative transportation mode for commuting but can also be a recreational activity. Recreational needs can be at least partially met with the development of the designated trails and pathways with paved bike paths.

To encourage bicycling for both transportation and recreation, the City Council approved the City of San Jose's Bicycle Master Plan in October of 1993. This master plan established the goals and objectives of the Comprehensive Bicycle

Master Plan currently under development. It also established the Transportation Bicycle Network, a network of bike paths, routes, and lanes that interconnect neighborhoods, major transit facilities and major centers of employment, recreation, and education.

**Transportation Goals:**

1. Provide a safe, efficient, and environmentally sensitive transportation system for the movement of people and goods.
2. Each decade, double the percentage of transit, bicycling, and walking trips as determined by Census data.
3. Develop a continuous, safe, accessible, interconnected high quality pedestrian environment that promotes walking as a desirable mode of transportation.

**Transportation Policies:**

**Thoroughfares**

1. Interneighborhood movement of people and goods should occur on thoroughfares and is discouraged on neighborhood streets.
2. The City should cooperate with other jurisdictions to develop a thoroughfares system which adequately meets the demand for intra-County trips and minimizes traffic congestion consistent with the provisions of the Santa Clara County Congestion Management Program.
3. Public street right-of-way dedication and improvements should be required as development occurs. Ultimate thoroughfare right-of-way should be no less than the dimensions as shown on the Land Use/Transportation Diagram except when a lesser right-of-way will avoid significant social, neighborhood or environmental impacts and perform the same traffic movement function.
4. Additional public street right-of-way beyond that designated on the Land Use/

Transportation Diagram may be required to facilitate left-turn lanes, bus pullouts, and right-turn lanes in order to provide additional capacity at some intersections.

5. Where existing public street right-of-way is determined to be greater than necessary for street purposes, such surplus right-of-way should be disposed of in a manner consistent with State and local laws.
6. The City should encourage State participation in funding transportation projects intended to alleviate areas with a high incidence of accidents or major traffic congestion.
7. The traffic impacts on regional transportation facilities should be taken into consideration when reviewing major General Plan Land Use Diagram amendments.
8. Vehicular, bicycle, and pedestrian safety should be an important factor in the design of streets and roadways.

**Impacts on Local Neighborhoods**

9. Neighborhood streets should be designed to discourage through traffic and unsafe speeds. If neighborhood streets are used for through traffic or if they are traveled at unsafe speeds, law enforcement and traffic operations techniques should be employed to mitigate these conditions.

**Transit Facilities**

10. The City of San José is evolving as an interregional transit hub for Northern California and the City should foster and encourage this evolution.
11. The City should cooperate with the Santa Clara Valley Transportation Authority, the California Department of Transportation and other transportation agencies to achieve the following

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objectives for the County's public transit system:

- Provide all segments of the City's population, including people with disabilities, elderly, youth and people who are economically disadvantaged, with adequate access to public transit. Public transit should be designed to be an attractive, convenient, dependable and safe alternative to the automobile.
  - Enhance transit service in major commute corridors, and provide convenient transfers between public transit systems and other modes of travel.
  - Develop an efficient and attractive public transit system which meets the travel demand at major activity centers, such as the Downtown, major employment centers, major regional commercial centers, government offices, and colleges and universities.
- New development should be required to install indented curbs for bus pullouts, bus shelters and other transit-related public improvements, where appropriate.
12. Privately owned transit systems, such as taxicabs and private bus companies, should be encouraged to provide convenient transfers to and from public transit systems.
  13. The City should encourage State and Federal legislation and programs to develop and promote viable alternative power sources to the internal combustion engine.
  14. The City should promote the installation of High Occupancy Vehicle (HOV) lanes on State highways, freeways, and County expressways.
  15. Where appropriate, the City should promote the location of child care facilities and other support services near light rail transit stations, major transportation hubs, and major employment centers.

16. Where feasible, transit stops should be compatible with the architectural style of adjacent development and should have appropriate amenities, including shade, to foster transit ridership.

### **Pedestrian Facilities**

17. Pedestrian travel should be encouraged as a mode of movement between residential and non-residential areas throughout the City and in activity areas such as schools, parks, transit stations, and in urban areas, particularly the Downtown Core and Frame Areas and neighborhood business districts by providing pedestrian facilities that are pleasant, safe, accessible to people with disabilities, and convenient.
18. Safe access and mobility for people with disabilities, in accordance with the American with Disabilities Act (ADA), will be implemented as a minimum standard in the design of all pedestrian facilities. Additional features beyond the ADA are encouraged.
19. The City should encourage walking, bicycling, and public transportation as preferred modes of transportation.
20. Pedestrian safety and access should be given priority over automobile movement.
21. All non-rural portions of San Jose should have a continuous sidewalk network. Existing deficiencies in the City's sidewalks should be addressed through the Capital Improvement Program or other funding mechanisms.
22. Pedestrian pathways and public sidewalks should provide connectivity between uses, such as neighborhoods, schools, parks, libraries, open space, public facilities, shopping centers, employment centers, and public transit. A continuous pedestrian facilities network should include pedestrian connections between neighborhoods,

across natural and man-made barriers, between dead-end streets, and to trails and transit.

23. Each land use has different pedestrian needs. Street and sidewalk designs should relate to the function of the adjoining land use(s) and transit access points.
24. In order to provide pedestrian comfort and safety, all pedestrian pathways and public sidewalks should provide buffers between moving vehicles and pedestrians where feasible (e.g., trees, planting strips, and parked cars).
25. To ensure that there is a continuous pedestrian network, pathways associated with a specific development should connect to the public pedestrian system.
26. The City's Capital Improvement Program and other mechanisms should implement quality pedestrian facilities identified in the General Plan's Pedestrian Priority Area and Trails and Pathways Diagrams.

### **Transportation Systems Management/ Transportation Demand Management**

27. The City should cooperate with the Santa Clara County Transit District, CalTrain and other appropriate transit agencies in the development of park and ride lots to support public transit.
28. The City should promote participation and implementation of appropriate Transportation Demand Management measures such as carpooling and vanpooling, preferential parking and staggered work hours/flextime, as well as bicycling and walking, by all employers.
29. The City should continue its participation in interjurisdictional approaches, such as the Santa Clara County Congestion Management Agency, to develop and implement

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appropriate techniques to improve the regional transportation system.

### Truck Facilities

30. Through truck traffic should be encouraged to utilize State freeways, County expressways, and six-lane arterial streets. Trucks should be encouraged to use those routes which have the least adverse impact on residential areas.
31. Industrial and commercial development should be planned so that truck access through residential areas is avoided. Truck travel on neighborhood streets should be minimized.
32. Freight loading and unloading for new or rehabilitated industrial and commercial developments should be designed to not occur on public streets.

### Parking

33. Adequate off-street parking should be required in conjunction with all future developments. The adequacy and appropriateness of parking requirements in the Zoning Code should be periodically re-evaluated.
34. Public parking facilities should be located and designed in order to maximize the number of land use activities which can utilize the facility and to maximize utilization which can occur throughout the 24-hour day. Joint use parking facilities should also be encouraged in private developments.
35. Reserved parking for the handicapped should be allocated at all public off-street parking sites.
36. Bicycle parking facilities should be provided at all public off-street parking sites.
37. Multiple occupancy vehicles should be afforded such incentives as preferred

parking space location and reduced parking fees.

38. Parking facilities in the Downtown Core Area should be provided in three ways:

- Short-term parking should be available on-site or in close proximity to new development.
- Public perimeter parking should be provided within short walking distances to areas with the greatest employment densities.
- Peripheral parking should be provided at the fringe of the Core Area where walking or shuttle-service distances are longer from employment centers.

### Rail

39. Whenever possible, grade separation of main line railroads and major arterial streets, particularly those of six lanes or more, should be provided. The City should maximize the use of available State and Federal funds for grade-separated railroad crossings, and encourage the railroads to pay their equitable share of any such projects.
40. The City should continue its Capital Improvement Program to upgrade safety equipment at railroad crossings.
41. The City should take appropriate action to minimize unnecessary traffic delays on surface streets from trains by notifying the appropriate railroad



personnel of such occurrences and, if necessary, notifying the Public Utilities Commission.

42. The City should encourage the railroads to fulfill their obligation to maintain railroad crossings.
43. For any decision regarding railroad rerouting or increased traffic on existing railroad routes, the effects of pollution, disruption or division of neighborhoods, demand for railroad service, and access for motor vehicles and pedestrians should be considered.

### **Aviation**

44. The City should continue to provide aviation services at San José International Airport and promote airline service which meet the present and future air transportation needs of local residents and the business community, and which minimize impacts on the surrounding community.
45. Capital improvements to San José International Airport as identified in the Airport Master Plan should be implemented in a timely manner.
46. The City should foster compatible land uses in the vicinity of San José International Airport.
47. Development in the vicinity of airports should be regulated in accordance with Federal Aviation Administration guidelines to:
  - Maintain the airspace required for the safe operation of these facilities.
  - Avoid reflective surfaces, flashing lights and other potential hazards to air navigation.
48. Development in the vicinity of airports should take into consideration the safety areas identified in Airport Land Use Commission (ALUC) policies.

49. As a condition of approval of development in the vicinity of airports, the City should require aviation easement dedications.

50. The City has had a longstanding interest in the future of Moffett Field due to its potential to serve a significant role in the Bay Area's regional aviation system. The City recognizes and supports the federal government's continued operation and development of Moffett Field. Such operation and development should be planned in a manner consistent with City and regional objectives of future civil aviation use of Moffett Field. The City is committed to working with NASA and other local and regional government agencies to preserve opportunities for future aviation-related uses and facilities at Moffett Field, including its continued availability to the region for emergency disaster relief purposes.

### **Bicycling**

51. The City should develop a safe, direct, and well-maintained transportation bicycle network linking residences, employment centers, schools, parks and transit facilities and should promote bicycling as an alternative mode of transportation for commuting as well as for recreation.
52. Bike lanes are considered generally appropriate on arterial and major collector streets. Right-of-way requirements for bike lanes should be considered in conjunction with planning the major thoroughfares network and in implementing street improvement projects.
53. Priority improvements to the Transportation Bicycle Network should include:
  - Bike routes linking light rail stations to nearby neighborhoods.

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- Bike paths along designated trails and pathways corridors.
  - Bike paths linking residential areas to major employment centers.
54. Light rail stations and other public transit embarkation points should include secure and convenient bicycle parking facilities.
  55. Bicycle parking facilities that are secure and convenient should be an integral component of such activity centers as major public facilities, business and employment sites and shopping centers.
  56. Bicycle safety should be taken into consideration when implementing improvements for automobile traffic operations.
  57. The City should cooperate with the County and other cities in designing and implementing the Countywide bikeways system. In the design and implementation of the City's bikeway system effort should be made to interconnect with the bikeway systems of adjacent cities.

### Solid Waste

The collection and disposal of solid waste is a fundamental community service regulated by the City for the benefit of the residents and businesses of San José. San José's rapid population growth in recent decades, radical change in social consumption patterns, recognition of the tremendous resource value of the waste stream, and heightened standards of environmental protection have challenged the utility of the traditional solid waste disposal system. Additionally, shifting regional disposal patterns are placing new demands on existing landfills sited in San José as well as presenting significant new opportunities for regional cooperation.

Meeting these challenges and capitalizing on these opportunities requires the establishment of alternative use, disposal and production patterns of solid waste. A solid waste hierarchy, comprised of source reduction, recycling/composting, transformation and landfilling, governs all solid waste management goals and policies of the City. This hierarchy places primary emphasis on implementing all feasible source reduction and recycling/composting measures, while continuing to allow transformation facilities and landfills to accommodate waste which cannot be reduced at the source, recycled or composted.

### Solid Waste Goals:

1. Recover the resource value of solid waste and foster the establishment of facilities in San José which constructively use and reinvest such resources in the local economy.
2. Extend the life span of existing landfills by promoting source reduction, recycling, composting and transformation of solid wastes.
3. Locate and operate solid waste sites in a manner which protects environmental resources.
4. Locate and operate solid waste disposal facilities in a manner compatible with existing and planned surrounding land uses.
5. Achieve a high level of public awareness of solid waste issues and alternatives to landfilling.
6. Promote the equitable distribution of Santa Clara County's solid waste disposal capacity among all jurisdictions within the County.



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#### **Solid Waste Policies:**

#### **Solid Waste Capacity**

1. Monitor the continued availability of long-term disposal capacity to ensure adequate solid waste disposal capacity.
2. No new candidate landfill sites should be designated until the need for additional landfill capacity has been established. Source reduction and recycling/ composting alternatives should be taken into account when evaluating the need for a landfill.
3. No new candidate landfill sites should be designated in the General Plan until a Countywide site review has been conducted according to criteria established through the County Solid Waste Management Plan process.
4. The preferred method for increasing the City's landfill capacity is to expand the capacity of existing landfill sites and monitor the continued availability of recycling, resource recovery and composting capacity to ensure adequate long term capacity.

#### **Landfill Siting Criteria**

5. Solid waste landfills are considered non-urban uses and, therefore, all candidate solid waste sites should be located outside of the Urban Service Area. The existing Zanker Road and Owens-Corning landfills are exempt from this policy.
6. Preference should be given to inland non-urban sites for future solid waste landfill facilities. The use of bayland sites for landfill facilities should be ultimately phased out, although the continued use of existing bayland sites may be allowed and, for sites located within the City's Urban Service Area and Urban Growth Boundary, recycling, resource recovery and composting may

continue on a portion of the site after landfill closure.

7. New solid waste landfills should be established only on lands designated with the Candidate Solid Waste Landfill Site overlay ("CSW"). The Candidate Solid Waste Landfill Site overlay is compatible with the underlying designations of Public/ Quasi-Public, Non-Urban Hillside and Private Open Space.
8. New Candidate Solid Waste Landfill Sites should be located at least 1/2 mile from areas with existing or planned residential uses at urban densities.
9. Access routes to solid waste landfill sites in non-urban areas should be designed and controlled so as to avoid encouraging urban development on adjacent or nearby properties.
10. Solid waste landfills should be discouraged in the proximity of existing or planned airports.
11. Landfill sites should be approved through the Planned Development zoning process.
12. Only when solid waste landfills have incorporated adequate mitigation measures should they be located on lands that are susceptible to landslides, faulting, seismically induced ground failure, 100-year flood inundation, salt water inundation, or dam inundation; or which have a high water table, are within a reservoir drainage basin, in wetlands or in areas of granular soils with potential for seismic failure which may result in the introduction of leachate into groundwater aquifers.
13. Solid waste landfills should be designed and operated in a manner that protects surface water and ground water aquifers from contamination by leachate.
14. Solid waste landfills should be designed and operated in such a manner as to

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minimize their attractiveness to birds, insects and rodents.

15. Additional screening should be provided when topography and naturally occurring vegetation is insufficient to adequately screen a solid waste landfill site or its access road from the view of residences or public roads.
16. The approval of solid waste landfill sites should include planning for their eventual phased restoration to recreational or open space uses, including revegetation with native plant species.
17. Solid waste sites should be planned, located and maintained to mitigate potential negative impacts on surrounding land uses, particularly in residential areas. The effects of increased traffic and traffic hazards, noise and odor problems, pollution and potential littering of traffic routes, including windborne and waterborne litter, should be mitigated.
18. Methane gas may be recovered from a closed solid waste landfill irrespective of the land use designation of the site.
19. Only compatible uses should be located adjacent to an operating landfill or other regional publicly owned facility, such as the Water Pollution Control Plant.

### **Siting Criteria for other Solid Waste Management Facilities**

20. Solid waste transfer/processing stations may be located in areas designated Heavy Industrial on the Land Use/Transportation Diagram if, during the development review process, it is determined that such a use would be compatible with existing and planned land uses in the vicinity of the site.
21. Solid waste reduction techniques, including source reduction, reuse, recycling, source separation and energy recovery, should be encouraged. ■

## **AESTHETIC, CULTURAL AND RECREATIONAL RESOURCES**

### **Historic, Archaeological and Cultural Resources**

San José has had a long and culturally rich history. The commonly held image of San José as the prototype of a rapidly growing suburban city tends to obscure the importance of earlier eras in the development of the community.

Long before the first European settlement, Native Americans resided in the area, settling along the many streams and creeks. The gentle climate, the Bay and its marshlands, the year-round streams, the oak groves, and rich agricultural land provided a favorable environment for American Indian villages.

The Pueblo of San José was founded November 29, 1777, as the first Spanish civil settlement in California. San José's story since then is one of the opening of a new land and the development and building of a civilization on the West Coast. In the years between the early-19th Century and the mid-20th Century, San José evolved into a commercial and governmental center based on the lucrative agricultural economic base. This fertile agricultural region attracted many immigrants who came to find their



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fortunes in the thriving agricultural community.

Today, San José is one of the nation's leading technological centers, attracting industry from all over the world. The invention of the silicon chip in the 1960's has transformed the agricultural center of the 1940's and 1950's into the "Silicon Valley" of today and the future.

Through San José's rich history, many sites and structures of historical and cultural importance have been constructed. Some of these significant sites have been lost, but the many that remain can be preserved. In addition to individual sites, there exist many districts in which numerous structures, related by a common architectural style or by historical association, collectively constitute a significant resource.

The visual charm and character of these sites, structures and districts lend to the revitalization of older neighborhoods and help to enhance community identity. In many cases, the fine architecture and craftsmanship of these early structures provide a living historical record for the present and future generations of San José.

An additional aspect of San José's historic and cultural heritage is that of archaeological resources. Native American artifacts and remains have been discovered in such archaeologically sensitive areas as creeksides and hillsides and provide an irreplaceable record of another civilization. San José's long and colorful history can provide a significant contribution to a sense of community identity. In order to enhance this identity, it is important to promote an awareness of San José's historic and archaeological heritage.

#### **Historic, Archaeological and Cultural Resources Goal:**

Preservation of historically and archaeologically significant structures, sites, districts and artifacts in order to promote a greater sense of historic awareness and community identity and to enhance the quality of urban living.

#### **Historic, Archaeological and Cultural Resources Policies:**

1. Because historically or archaeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key



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consideration in the development review process.

2. The City should use the Area of Historic Sensitivity overlay and the landmark designation process of the Historical Preservation Ordinance to promote and enhance the preservation of historically or architecturally significant sites and structures.
3. An inventory of historically and/or architecturally significant structures should be maintained and periodically updated in order to promote awareness of these community resources.
4. Areas with a concentration of historically and/or architecturally significant sites or structures should be considered for preservation through the creation of Historic Preservation Districts.
5. New development in proximity to designated historic landmark structures and sites should be designed to be compatible with the character of the designated historic resource. In particular, development proposals located within the Areas of Historic

Sensitivity designation should be reviewed for such design sensitivity.

6. The City should foster the rehabilitation of individual buildings and districts of historic significance and should utilize a variety of techniques and measures to serve as incentives toward achieving this end. Approaches which should be considered for implementation of this policy include, among others:  
Discretionary Alternate Use Policy Number 3, permitting flexibility as to the uses allowed in structures of historic or architectural merit; transfer of development rights from designated historic sites; tax relief for designated landmarks and/or districts; alternative building code provisions for the reuse of historic structures; and such financial incentives as grants, loans and/or loan guarantees to assist rehabilitation efforts.
7. Structures of historic, cultural or architectural merit which are proposed for demolition because of public improvement projects should be considered for relocation as a means of preservation. Relocation within the same neighborhood, to another compatible neighborhood or to the San José

## AESTHETIC, CULTURAL AND RECREATIONAL RESOURCES

### Parks and Recreation

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- Historical Museum should be encouraged.
8. For proposed development sites which have been identified as archaeologically sensitive, the City should require investigation during the planning process in order to determine whether valuable archaeological remains may be affected by the project and should also require that appropriate mitigation measures be incorporated into the project design.
  9. Recognizing that Native American burials may be encountered at unexpected locations, the City should impose a requirement on all development permits and tentative subdivision maps that upon discovery of such burials during construction, development activity will cease until professional archaeological examination and reburial in an appropriate manner is accomplished.
  10. Heritage trees should be maintained and protected in a healthy state. The heritage tree list, identifying trees of special significance to the community, should be periodically updated.
  11. The City should encourage the continuation and appropriate expansion of Federal and State programs which provide tax and other incentives for the rehabilitation of historically or architecturally significant structures.

### Parks and Recreation

Public parks and recreation areas are an important and necessary element of the urban community, providing for many of its open space and leisure activity needs. A sufficient supply of park land and open space is important to enhance the livability and the social and environmental quality of a city. A wide variety of parklands and facilities are needed to serve the City's many unique and diverse environments: the urban Core

(Downtown), neighborhoods framing the Downtown Core, suburban neighborhoods and semi-rural hillside areas. Developed parks, natural open space areas and recreation facilities are necessary for a balanced and vital community. The manner in which open space is preserved and recreational lands and opportunities developed reflect the diverse interests of the City's residents. Neighborhood parks provide recreation facilities close to home and are easily accessible to residents. In addition, open space areas provide other benefits, such as providing heat reduction during the summer months.

The City has actively pursued a program of park land acquisition. The City utilizes a variety of financing mechanisms, including the Parkland Dedication Ordinance, Park Impact Fee Ordinance and the Construction and Conveyance Tax, to acquire and develop park land.

As of 1992, approximately 16,300 acres of Federal, County and City owned public park land had been acquired within the City's Sphere of Influence. The majority of this land consists of County owned hillside open space, creekside park chains, and Federal owned wetlands as part of the San Francisco Bay National Wildlife Refuge. These areas comprise part of a regional park system which is envisioned to provide a "greenbelt" of open space around the urban area of the City. The City manages approximately 4,000 acres of this total acreage for neighborhood, district and citywide parks, park chains along several major waterways, community centers, historic facilities and sports facilities. Some of these sites have been developed for the delivery of a wide variety of leisure activities and other sites remain unimproved because of the City's limited budget for operations and maintenance costs associated with parks. In addition to lands owned by public park and recreational agencies, the parks and recreation system in

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San José also includes properties owned by private utilities, including the Santa Clara Valley Water District, the Pacific Gas and Electric Company, school districts and other agencies.

Flood control rights-of-way, utility corridors, school yards and water supply reservoirs are familiar examples of facilities which form an integral part of San José's recreation-oriented open space resources. A significant concern is the growing number of school closures in many neighborhoods of the City which result in a loss of usable open space and a traditional source of community services.

Due to high land costs, development patterns, and special credit and exemption provisions in existing City financing mechanisms, the City has been unable to acquire a sufficient amount of neighborhood serving park land to meet its service level objectives. In order for the City to maintain a high quality of life, creative solutions will be needed to provide alternative methods of alleviating park land deficiencies. Alternative forms of neighborhood serving park land mitigation should be considered for high density housing projects, particularly in the Downtown Core and Frame Areas and along major transit and arterial corridor connections to Downtown. New private development should be encouraged to provide a greater amount of recreation and open space facilities on site or in close proximity to meet the park and open space needs it generates. Alternative methods of providing central city development with access to open space and recreation facilities should include consideration of: outdoor plazas and gathering areas; landscaped pedestrian oriented streetscapes; indoor and roof top recreation and open space amenities; publicly accessible private recreation facilities, such as swim cabanas, tennis clubs, and fitness centers; freeway underpasses and air rights; proximity to civic

and cultural facilities; and the availability of public transportation providing access to other park and open space lands beyond reasonable walking distance.

Level of Service goals for Parks and Recreation services are set forth in the Services and Facilities section of this Chapter.

### **Parks and Recreation Goal:**

Provide park lands and recreation areas which enhance the livability of the urban environment by providing parks for residential neighborhoods, preserving significant natural, historic, scenic and other open space resources, and meeting the open space and recreation services needs of community residents.

### **Parks and Recreation Policies:**

1. The City should consider as an objective the provision of neighborhood or community park within reasonable walking distance for each resident. That portion of a Citywide or regional park which provides recreational accessibility for nearby residents in the same manner as a neighborhood or community park should be considered as meeting this objective.
2. Public parks, open space lands and other similar public areas should be located, oriented and designed in such a way as to facilitate their security and policing.
3. Through the development review process, private open space and recreation facilities should be encouraged in high density residential projects, mixed use projects and major employment complexes in the vicinity of major transit corridors in order to meet a portion of the open space and recreation needs of residents, employees and visitors that will be generated by that development.

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### Parks and Recreation

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4. The City should accept open space land dedications only when public ownership will preserve the natural and scenic beauty, protect natural and man-made landmarks, or provide a land supply to meet future recreational needs.
5. The development of public and private recreational uses in rural and hillside areas should be low intensity and sensitive to geologic hazards, water resources, natural habitats, and visual impacts, consistent with allowed densities and development standards for residential and other uses.
6. In the design and maintenance of parks, consideration should be given to impacts on wildlife. In particular, it should be recognized that native plant species may be best suited for providing wildlife cover and food sources and that herbicides, pesticides and fungicides may be damaging to native plants and wildlife.
7. The City encourages the Santa Clara Valley Water District, school districts, the Pacific Gas and Electric Company and other public agencies and utilities to provide for appropriate recreational uses of their respective properties and rights-of-way. Consideration should be given to cooperative efforts between these entities and the City to develop parks, pedestrian and bicycle trails, other open space areas, and recreational facilities and programs.
8. The City should consider the conversion of abandoned railroad rights-of-way into multi-purpose trails.
9. The City encourages the County and other appropriate jurisdictions to direct the expenditure of regional park funds to provide parks and other open space lands and recreational resources within, or in close proximity to, the urban population.
10. The City should continue to work cooperatively with local school districts in identifying and evaluating surplus



school sites for potential park lands acquisition. In furtherance of this policy, the City should maintain and periodically update the School Site Reuse Plan.

11. The City should maintain and periodically update a plan establishing criteria and standards for the provision of parks and recreation services. "Leisure and Life 2000" meets this objective.
12. The City should promote the enactment of Federal, State and local legislation intended to facilitate the acquisition of surplus property of public agencies for parks, open space and recreation purposes.
13. The City encourages the County and other public agencies to accept dedications of open space lands of regional significance, including watersheds, wildlife habitats, wetlands, historic sites, and scenic lands. The City also encourages private entities to preserve open space lands.
14. Bikeways, hiking trails, equestrian trails, rest areas and picnicking accommodations should be provided, wherever feasible, within parks and trails corridors designated on the Scenic Routes and Trails Diagram, to access the

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hillsides, ridgelines, baylands, significant waterways, and other scenic areas.

15. In the design of parks, consideration should be given to providing features, facilities, and services that promote tourism and make San José an attractive location for economic development as well as serve the needs of San José residents.
16. The City should facilitate the creation and improvement of neighborhood and community parks by using the Parkland Dedication Ordinance, the Parallel Impact Fee Ordinance, and the Construction and Conveyance Tax.
17. Parks should be designed and constructed in a manner which allows access to each type of recreational experience for people of all abilities to the maximum extent possible.
18. In the planning of future park expenditures, the provision of new park and recreation facilities and improvements in park deficient areas should be considered a top priority.
19. The City should consider negotiating with property owners and local school districts in newly developing residential areas for the dedication of playground/recreation portions of future school sites to the City, providing for long term low cost leasing of these playgrounds back to the school districts. Under this arrangement, when a school district declared a site as surplus the playground portions of it would automatically revert back to the City, ensuring public use in perpetuity.

### Scenic Routes

The City of San José has many scenic resources which include the broad sweep of the Santa Clara Valley, the hills and mountains which frame the Valley floor, the

baylands and the urban skyline itself, particularly high-rise development. It is important to preserve public thoroughfares which provide visual access to these scenic resources. The designation of a scenic route applies to routes which afford especially aesthetic views. Two types of scenic routes are designated on the Scenic Routes and Trails Map. They are Landscaped Throughways and Rural Scenic Corridors.

State and Interstate Highways are important transportation routes with high traffic volumes. San José's image for both residents and visitors is affected by the visual and aesthetic scene both at gateways where these routes enter the City, and as these routes traverse the City. In particular, State and Interstate Highways are frequently elevated, presenting grand views of the downtown, the hillsides and other scenes of considerable significance. These views contribute to the image of San José as a pleasant and attractive city in which to live and work.

The designation of Landscaped Throughway on the Scenic Routes and Trails Diagram designates all State and Interstate Highways that are located within San José's Sphere of Influence. Landscaping and the use of architectural detailing along the highways will enhance and improve the visual qualities of these thoroughfares. Billboards and other large structures located adjacent to scenic routes often diminish views and present an unattractive urban appearance from the roadways. Special efforts, such as discouraging the use of billboards and regulating the size and shape of structures along highways, can preserve scenic views and maintain the City's overall image.

Rural Scenic Corridors are scenic routes that provide access to the natural amenities that surround the City. They are defined as the scenic road right-of-way plus the landscape visible on either side of the right-of-way. Any development in these areas should be



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subject to special design treatment in order to blend with the scenic qualities of the area. The provision of recreational trails for hikers, bicyclists and equestrians should be encouraged within designated Rural Scenic Corridors where sufficient right of way exists allowing for connections to and extensions of existing trail corridors.

Designated scenic routes are not the only thoroughfares that have scenic views. Most major streets provide some type of view or "vista" of the natural areas, the hillsides or man-made structures. Often major streets provide unique opportunities to develop or preserve significant views.

#### **Scenic Routes Goal:**

Preserve and enhance the visual access to scenic resources of San José and its environs through a system of scenic routes.

#### **Scenic Routes Policies:**

1. Development within the designated Rural Scenic Corridors and along designated Landscaped Throughways should be designed with the intent of preserving and enhancing attractive natural and man-made vistas.
2. The natural character of Rural Scenic Corridors should be preserved by incorporating mature stands of trees, rock outcroppings, streams, lakes and reservoirs and other such natural features into project designs.
3. The design of Landscaped Throughways should include a high standard of architectural detail and landscaping in order to create a consistent and attractive visual quality.
4. Any development occurring adjacent to Landscaped Throughways should incorporate interesting and attractive design qualities and promote a high standard of architectural excellence.

5. Any development along Landscaped Throughways entering the City should be designed to provide attractive gateways to the City.
6. Development along designated Rural Scenic Corridors should preserve significant views of the Valley and mountains, especially in, or adjacent to, Coyote Valley, the Diablo Range, the Silver Creek Hills, the Santa Teresa Ridge and the Santa Cruz Mountains.
7. The planning of Rural Scenic Corridors should take into consideration the potential for providing access to such public facilities as parks, recreation areas, bike trails and cultural attractions.
8. Roadway design on Rural Scenic Routes should minimize impacts on native flora and natural topographic features.
9. Billboards adjacent to all scenic routes should be strongly discouraged.

Many major streets and other roadways in San José afford scenic views of hillsides, although they may not qualify as designated scenic routes. Special consideration of street design should be taken so as to preserve views of hillsides wherever they occur.

#### **Trails and Pathways**

The many creeks and streams traversing San José which connect many of the area's large regional parks offer an unparalleled opportunity to create a network of trails and pathways. This network can link a large urban population with the significant open space and recreational opportunities afforded by public parks and other open space lands in the baylands, hillside areas and throughout the Santa Clara Valley. A trails and pathways network can provide access to these important natural areas and recreational opportunities without dependence on either the automobile or congested urban streets. A trails and pathways network also provides an alternative means of commuting and can

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encourage bicycling and walking not only as a form of recreation, but as a means of transportation.

Trails and pathways can also provide local opportunities for persons who wish to jog, bike, ride horses or just hike along natural creeksides. This recreational opportunity for nearby residents and employees, plus the aesthetic advantages of the natural riparian setting of creekside areas enhances the value of development on adjacent properties.

The Scenic Routes and Trails Diagram is described in the Land Use/Transportation Diagram Chapter of this General Plan. This section describes the Trail and Pathway designations on the Diagram which identify the corridors planned for the City.

### **Trails and Pathways Goal:**

Provide a network of trails and pathways throughout the City in order to maximize the City's recreational opportunities and to provide alternate means of both commuting and reaching regional parks and other natural areas.

### **Trails and Pathways Policies:**

1. The City should control land development along designated Trails and Pathways Corridors in order to provide sufficient trail right-of-way and to ensure that new development adjacent to the corridors does not compromise safe trail access nor detract from the scenic and aesthetic qualities of the corridor.
2. When new development occurs adjacent to a designated Trails and Pathways Corridor, the City should encourage the developer to install and maintain the trail.
3. Design, construction and management of trails and pathways should be carefully executed in order to minimize environmental disturbance.
4. Bridges and other public improvements within designated Trails and Pathways Corridors should be designed to provide safe and secure routes for trails, including grade separation of roadways and trails whenever feasible.
5. The City should promote cooperative interagency planning of trails and pathways in order to establish and encourage their use for both recreational purposes and as alternate transportation routes.
6. The incorporation of trails and pathways into lanes used for public and utility purposes is encouraged.
7. Trails should be built to meet the trail standards established by the Department of Public Works. Trail design should provide sufficient light, vertical and horizontal clearance, and landscape setbacks from adjacent development to ensure a safe and aesthetically pleasing recreational experience.
8. In areas which are already developed and where insufficient right of way exists to provide trails separate from existing roadways, the City should consider interim trail alignments along



- public roadways to provide linkages with trail corridors and public transportation facilities.
9. Trails and pathways should be designed and constructed in a manner which allows safe access to each type of trail experience for people of all abilities to the maximum extent possible.
  10. In addition to trails proposed along major watercourses, additional trail routes should be established on abandoned railroad rights-of-way. ■

### NATURAL RESOURCES

This General Plan is based on the premise that natural resources are not inexhaustible commodities to be exploited, but are valuable assets to be judiciously used and wisely managed for the benefit of present and future generations. The intent of the Natural Resources goals and policies is to balance resource conservation and urban development, so as to maximize the achievement of environmental, economic and social objectives. Management of natural resources affects a much larger area than that within San José's jurisdiction.

Conservation or misuse of natural resources by one city can affect all the other cities in the region. For example, air pollution generated in cities to the north will be carried by the prevailing winds to San José, decreasing local air quality. In order to address the regional scope of water quality, the Regional Water Quality Control Board (RWQCB) has adopted a Water Quality Control Plan for San Francisco Bay Basin to meet Federal and State water quality requirements. Without consistent action throughout the San Francisco Bay region, San José's environmental management goals will not be met.

### Natural Communities and Wildlife Habitats

Plant communities and wildlife habitats within the Sphere of Influence of San José range from relatively undisturbed natural communities, such as oak woodland and salt marsh, to areas that are completely developed.

A variety of native and non-native plants and animals are found within the City. Several

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native plant communities, including serpentine grassland, salt marsh, and riparian forest provide habitat for rare, threatened and/or endangered plants and animals that are of special concern to governmental agencies, conservation groups, and private citizens.

Although natural communities generally support a greater diversity and number of plant and animal species, urban habitat is also important. Urban habitat is found in developed residential, commercial, and industrial areas. Valuable urban habitat includes street trees, backyard gardens, parks, and some vacant lots. Trees, shrubs, lawns, and gardens found in urban areas provide food and cover for wildlife that has adapted to the urban environment.

### **Woodlands, Grasslands, Chaparral and Scrub**

Woodlands, grasslands, chaparral and scrub are the primary vegetative cover on the hillsides surrounding the Santa Clara Valley floor. These plant communities provide grazing land and wildlife habitat, and facilitate the capture and subsequent percolation of rainwater. These areas also have direct scenic value. Woodlands, grasslands, chaparral, and scrub are susceptible to damage from inappropriate agricultural uses and practices as well as from urban development, and should be protected from erosion hazard. Oak woodland is recognized as highly productive wildlife habitat with important aesthetic value. Much of the oak woodland that was historically present within the City has been removed by agricultural and urban uses. Oak woodland areas remain in the Santa Teresa and Almaden Hills and along the southern parts of San Felipe Road.

Many wildlife species use grasslands for feeding or hunting, but require nearby trees or shrubs for cover or nesting sites.

Grasslands provide important habitat for the Turkey Vulture, Northern Harrier, Black-shouldered Kite, Horned Lark, and Burrowing Owl. Scrub, a plant community made up of moderate sized shrubs such as California Sagebrush and Black Sage, occurs on rocky, shallow soils and is often associated with grasslands.

Foothill areas with soils derived from serpentine rock can support unique plant communities. Serpentine bunchgrass and serpentine chaparral occur in the Mt. Hamilton Range and in the Santa Cruz Mountains. Some areas that formerly supported serpentine bunchgrass species have been modified by grazing and support primarily introduced species.

### **Woodlands, Grasslands, Chaparral and Scrub Goal:**

Protect the biological diversity and scenic characteristics of grasslands, woodlands, chaparral and scrub in hillside areas.

### **Woodlands, Grasslands, Chaparral and Scrub Policies:**

1. The nature and amount of public access to wooded areas and grasslands, when allowed, should be consistent with the environmental characteristics of these areas.
2. The use of motorized off-road vehicles should be limited, and strictly regulated, in woodlands, grasslands, and hillside areas.
3. The City should cooperate with other agencies in the preservation of hillside vegetation.
4. Grading should be designed to minimize the removal of significant vegetation.
5. The City should preserve and protect oak woodlands, and individual oak trees, to the greatest extent feasible.

6. The City should encourage appropriate reforestation and planting projects in hillside areas.
7. Appropriate agricultural practices should be encouraged in hillside areas.
8. Serpentine grasslands, particularly those supporting sensitive serpentine bunchgrass communities of plant and animal species of concern, should be preserved and protected to the greatest extent feasible. When disturbance cannot be avoided, appropriate measures should be required to restore, or compensate for loss of serpentine bunchgrass communities or habitat of species of concern.

### **Riparian Corridors and Upland Wetlands**

The rivers, creeks and upland wetlands within the City of San José support a diversity of habitats. Several distinct habitats occur along the riparian corridors, including riparian forest, grassland, freshwater marsh, and upland wetlands. Many species of plants, fish and wildlife are found associated with riparian corridors, including several species of concern. Riparian areas and upland wetlands that support native or woody plants provide habitat that is important for the protection of the region's plant and animal life. From fall to early spring, riparian forest



communities provide important resting and feeding areas for migrating birds. Riparian corridors also provide aesthetic values and recreational resources.

Creeks in the Santa Clara Valley historically supported relatively wide corridors of natural vegetation. Plant communities associated with riparian corridors now occur as narrow bands of vegetation within the banks of creeks. Many channels have been modified for flood protection and in-stream percolation ponds.

The City Council has approved a Riparian Corridor Policy Study which includes an inventory of riparian resources within the Urban Service Area and Urban Reserves,



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assessments of riparian value, development guidelines, and riparian restoration policies. The policy document addresses both private and public development including recreation facilities.

### **Riparian Corridors and Upland Wetlands Goal:**

Preserve, protect, and restore riparian corridors and upland wetlands within the City of San José's Sphere of Influence.

### **Riparian Corridors and Upland Wetlands Policies:**

1. Creeks and natural riparian corridors and upland wetlands should be preserved whenever possible.
2. New public and private development adjacent to riparian corridors should be consistent with the provisions of the Riparian Corridor Policy Study.
3. New development within the Urban Service Area should be set back from the outside edge of riparian habitat (or top of bank, whichever is greater) a distance sufficient to buffer the impacts of adjacent human activities and provide avenues for wildlife dispersal.
4. New development should be designed to protect adjacent riparian corridors from encroachment of lighting, exotic landscaping, noise and toxic substances into the riparian zone.
5. When disturbances to riparian corridors and upland wetlands cannot be avoided, appropriate measures should be required to restore, or compensate for damage to, the creeks or riparian corridors
6. The City encourages appropriate native plant restoration projects along riparian corridors, upland wetlands, and in adjacent upland areas.
7. The City should consider the preparation of a Riparian Restoration Action Plan to assess riparian conditions and identify

potential riparian restoration programs and priorities.

8. Natural riparian corridors outside the Urban Service Area should be protected from disturbance associated with development (such as structures, roadways, sewage disposal facilities and overhead utility lines, except those required for flood control or bridging) by a minimum 150 foot setback from the top bank line, wherever feasible.

### **Bay and Baylands**

South San Francisco Bay and the baylands are a vital biotic, cultural and recreational open space resource.

The South San Francisco Bay is recognized as one of the nation's most significant estuaries. Pursuant to the Water Quality Act, the Governor of California has included the San Francisco Bay within the National Estuary Program. The San Francisco Bay-Delta Estuary is the largest estuary and possibly the most important natural and economic resource on the western coast of the American continents. The San Francisco Bay system provides essential recreational and aesthetic opportunities for boaters, fishermen and hikers and all those who appreciate natural beauty.

All uses of the Estuary depend on the quality and health of its waters and wetlands. A leading cause of degradation and a fundamental threat to the present and future benefits of the Estuary is the loss of the Estuary's open water area, wetlands, and stream environments through modification or conversion to other uses and contamination by pollutants.

In the South Bay, the Estuary consists of the open tidal, brackish, and fresh water system of the San Francisco Bay and adjacent wetlands, and tributary streams. Changes in land use can have direct impacts on the

Estuary such as the physical conversion of open waters, wetlands and streams, and indirect impacts such as pollutants which can be carried by rain water or publicly operated treatment works from upland uses and activities into the Estuary.

The water and wetland surfaces of the Bay make an important contribution to the mild climate and the quality of life in the South Bay Area. Reduction of the surface area raises air temperatures, reduces winds, and reduces water circulation in the Bay. Also, reduction of the area open to tidal action decreases the capacity to flush pollutants from the Bay.

The baylands provide food and shelter for fish and wildlife, and in their natural state serve multiple functions for water and air quality control, storage and passage of flood waters, erosion control, nature education, scientific study, open space and recreation. The Bay and baylands are defined, for the purpose of this Plan, as the tidal influenced water areas, the historic wetlands areas which are adjacent to and ecologically integrated into the Bay and tidal channels of the Bay (including seasonal, tidal and diked marshes, mud flats, salt ponds and vernal pools) and the adjacent lands which are ecologically linked to these wetlands. Baylands provide habitat for a number of species of concern and include a unique plant community, North Coast Salt Marsh. The Bay and bayland habitats can be jeopardized by dredging, filling, diking, discing, draining, and other activities.

The Water Pollution Control Plant must operate under the regulation of a National Pollution Discharge Elimination System Permit because the sewage which is treated by the Water Pollution Control Plant is



discharged directly in to the South San Francisco Bay. In order to reduce the possibility of the sewage discharge impacting the Bay habitat or wildlife the City has adopted a South Bay Action Plan, which consists of water conservation and water reclamation programs, and a Waste Minimization Program to reduce the amount of metals which are deposited into the sewage.

The San Francisco Bay National Wildlife Refuge, located in the baylands near the community of Alviso, is an area set aside for the preservation and restoration of natural bayland habitat, for purposes of protecting many species of plant and animal life which inhabit and migrate through the baylands.

#### **Bay and Baylands Goal:**

Preserve and restore natural characteristics of the Bay and adjacent lands, and recognize the role of the Bay's vegetation and water area in maintaining a healthy regional ecosystem.

#### **Bay and Baylands Policies:**

1. The baylands should be preserved and restored in a manner consistent with the fragile environmental characteristics of this area and the interest of the citizens of San José in a healthful environment.
2. Urban development in the baylands is discouraged unless it can be shown that

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it results in no net loss of baylands habitat value.

3. The City should cooperate with the County, U.S. Army Corps of Engineers, EPA, California Department of Fish and Game, and other appropriate jurisdictions to prevent the degradation of baylands by discouraging new filling or dredging of Bay waters and baylands.
4. The City, in cooperation and, where appropriate, consultation with other interested agencies, should encourage the restoration of diked historic wetlands, including salt ponds, to their natural state by opening them to tidal action.
5. The City should continue to participate in the Santa Clara Valley Non-Point Source Pollution Control Program and take other necessary actions to formulate and meet regional water quality standards which are implemented through the National Pollution Discharge Elimination System Permits and other measures.
6. No development which creates adverse impacts on the National Wildlife Refuge in South San Francisco Bay or results in a net loss of baylands habitat value should be permitted.

### Species of Concern

Natural plant communities, including serpentine grassland, serpentine chaparral, riparian forest, salt marsh, and freshwater marsh, harbor a number of species that are rare or at risk of becoming extinct in the near future. These "Species of Concern" include plants and animals that are protected under state and Federal Endangered Species Acts, the Federal Migratory Bird Treaty Act, and other species listed by the California Department of Fish and Game and the California Native Plant Society.

Serpentine grasslands and chaparral support a number of unique plants and animals including the Metcalf Canyon Jewelflower, Coyote Ceanothus, San Francisco Bay Checkerspot Butterfly, and Opler's Longhorn Moth.

Species of Concern found in riparian and marsh habitats near the bay and along creeks are primarily animals. Bird species such as the California Clapper Rail, Salt Marsh Yellowthroat, and Yellow Warbler visit or nest in marshes or riparian areas. The Salt Marsh Harvest Mouse uses salt marshes along the margins of sloughs. Other species of concern found in riparian habitats include the Red-legged Frog and the Southwestern Pond Turtle.

Grasslands and adjacent woodlands also provide habitat for a number of species of concern. Raptors, or birds of prey, including the Black-Shouldered Kite, Sharp-shinned Hawk, and Golden Eagle use grasslands for hunting and nest in woodland or forest habitats. The Burrowing Owl hunts and nests in grasslands and may also utilize disturbed habitats, including vacant lots and levees. The California Tiger Salamander uses underground burrows in grassland and requires ponds or quiet streams to breed.

Species of Concern that are known to occur in the Santa Clara Valley and surrounding foothills are listed in Appendix H.

### Species of Concern Goal:

Preserve habitat suitable for Species of Concern, including threatened and endangered species.

### Species of Concern Policies:

1. Consideration should be given to setting aside conservation areas in the Bay and baylands, along riparian corridors, upland wetlands, and hillside areas to protect habitats of unique, threatened



- and endangered species of plants and animals, and to provide areas for educational and research purposes.
2. Habitat areas that support Species of Concern should be retained to the greatest extent feasible.
  3. Recreational uses in wildlife refuges, nature preserves and wilderness areas in parks should be limited to those activities which have minimal impact on sensitive habitats.
  4. New development on undeveloped properties throughout the City contributes to the regional loss of Burrowing Owl habitat. To offset this loss of habitat, the City should require either habitat preservation on or off site or other appropriate measures for habitat acquisition, habitat enhancement and maintenance of local habitat bank.

### **Urban Forest**

In urban areas, trees provide scenic beauty and shade and serve as wind, noise, and visual barriers. They also filter air pollutants, help conserve energy, replenish oxygen, and protect against flood hazards, landslides, and soil erosion by absorbing rain water. Native and landscape trees can provide important wildlife habitat for birds living in urban areas. All large specimen and heritage trees, especially native oaks, also have special aesthetic and historical values. Trees soften the effect of urban development and increase property values in neighborhoods and commercial areas.

### **Urban Forest Goal:**

Preserve, protect, and increase plantings of urban trees within the City.

### **Urban Forest Policies:**

1. The City should continue to support volunteer urban forestry programs that encourage the participation of interested

- citizens in tree planting and maintenance in neighborhoods and parks.
2. Development projects should include the preservation of ordinance-sized, and other significant trees. Any adverse affect on the health and longevity of native oaks, ordinance sized or other significant trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement. In support of these policies the City should:
    - Continue to implement the Heritage Tree program and the Tree Removal Ordinance.
    - Consider the adoption of Tree Protection Standards and Tree Removal Mitigation Guidelines.
  3. The City encourages the maintenance of mature trees on public and private property as an integral part of the urban forest. Prior to allowing the removal of any mature tree, all reasonable measures which can effectively preserve the tree should be pursued.
  4. In order to realize the goal of providing street trees along all residential streets, the City should:
    - Continue to update, as necessary, the master plan for street trees which identifies approved species.
    - Require the planting and maintenance of street trees as a condition of development.
    - Continue the program for management and conservation of street trees which catalogs street tree stock replacement and rejuvenation needs.

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5. The City should encourage the selection of trees appropriate for a particular urban site. Tree placement should consider energy saving values, nearby powerlines, and root characteristics.
6. Trees used for new plantings in urban areas should be selected primarily from species with low water requirements.
7. Where appropriate, trees that benefit urban wildlife species by providing food or cover should be incorporated in urban plantings.
8. Where urban development occurs adjacent to natural plant communities (e.g. oak woodland, riparian forest), landscape plantings should incorporate tree species native to the area to the greatest extent feasible.

### Water Resources

Both the adequacy of supply and quality of water resources are of concern to the community. The local water resource system consists of watershed lands, underground aquifers, groundwater recharge areas, recycled water, reservoirs, canals, streams, rivers, creeks, and the riparian vegetation associated with them. This local system is supplemented by the importation of water from external sources. Water is a finite resource and local water resources should be protected from pollution as much as possible and reclaimed to protect the adequacy of supplies, limit the dependence on external sources of supply, and avoid the overdrafting of the underground water basin to reduce land subsidence. The City's planning and regulation of urban development directly affects these resources. Urbanization restricts the recharge of underground water basins by reducing permeable land surfaces which are vital for percolation, and natural vegetation which filters out pollutants. Urbanization also increase the amount of pollutants which find their way into waterways and underground water basins

from storm runoff and from on-site percolation. Pollutants such as silt, herbicides and pesticides, hydrocarbons and heavy metals are carried by storm runoff from construction sites, landscaped areas, streets, parking lots and other paved surfaces directly into creeks and rivers, and ultimately, into San Francisco Bay. These pollutants pose a serious threat to the ecology of the creeks, rivers and the Bay.

The San Francisco Bay Region of the California Regional Water Quality Control Board is responsible for determining San José's compliance with the water quality requirements of the national Clean Water Act. To comply with the requirement to control urban runoff borne pollution, the City, in partnership with the other members of the Santa Clara Valley Urban Runoff Pollution Prevention Program, has obtained a National Pollutant Discharge Elimination System (NPDES) Permit. This permit requires the City to implement control measures to reduce storm water pollutants from construction sites and areas of new development or significant redevelopment to the maximum extent practical.

The Santa Clara Valley Water District is the agency primarily responsible for the conservation and development of water resources. In an effort to increase local water supply, the City is coordinating water reclamation plans with the Santa Clara Valley Water District.

The Federal Environmental Protection Agency requires state governments to implement the Clean Water Act through permit controls on wastewater discharge. In order to meet the requirements for the issuance of a National Pollution Discharge Elimination System (NPDES) permit and reduce storm water pollution, the County of Santa Clara, the Santa Clara Valley Water District, and 13 local city governments have joined together to formulate the Santa Clara

Valley Non-Point Source Pollution Control Program.

**Water Resources Goal:**

Protect water resources because they are vital to the ecological and economic health of the region and its residents.

**Water Resources Policies:**

1. The City, in cooperation with the Santa Clara Valley Water District, should restrict, or carefully regulate, public and private development in watershed areas, especially in those necessary for effective stream flow and for the prevention of excessive siltation.
2. Water resources should be utilized in a manner which does not deplete the supply of surface or groundwater, and efforts to conserve and reclaim water supplies, both local and imported, should be encouraged.
3. The City should encourage the Santa Clara Valley Water District to restrict public access and recreational uses on land adjacent to rivers, creeks, freshwater wetlands, and other significant water courses when water quality could be degraded.
4. The City should not permit urban development to occur in areas not served by a sanitary sewer system.
5. The City should protect groundwater recharge areas, particularly creeks and riparian corridors.
6. When new development is proposed in areas where storm runoff will be directed into creeks upstream from groundwater recharge facilities, the potential for surface water and groundwater contamination should be assessed and appropriate preventative measures should be recommended.
7. The City shall require the proper construction and monitoring of facilities storing hazardous materials in order to

prevent contamination of the surface water, groundwater and underlying aquifers. In furtherance of this policy, design standards for such facilities should consider high groundwater tables and/or the potential for freshwater or saltwater flooding.

8. The City should establish policies, programs and guidelines to adequately control the discharge of urban runoff and other pollutants into the City's storm drains.
9. The City should take a proactive role in the implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program.
10. The City should encourage more efficient use of water by promoting water conservation and the use of water-saving devices.
11. The City should promote the use of reclaimed water when feasible, particularly for industrial users, for irrigation and in groundwater recharge areas.
12. For all new discretionary development permits for projects incorporating large paved areas or other hard surfaces (e.g., building roofs), or major expansion of a building or use, the City should require specific construction and post-construction measures to control the quantity and improve the water quality of urban runoff.

**Extractive Resources**

Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay, and limestone, all of which have provided building materials to the construction industry. Santa Clara County has also supplied a significant portion of the nation's mercury over the past century.

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Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated: the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87, and Hillsdale Avenue, as containing mineral deposits which are of regional significance as a source of construction aggregate materials.

Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. Therefore, other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA.

### **Extractive Resources Goal:**

Conserve and make prudent use of economically usable extractive resources.

### **Extractive Resources Policies:**

1. When urban development is proposed on lands which have been identified as containing economically usable extractive resources, the value of such resources should be taken into consideration.
2. The City encourages the conservation and development of SMARA-designated mineral deposits wherever feasible.
3. In making land use decisions involving areas which have a SMARA designation of regional significance, at the time of consideration of such decision, the City should, in balancing mineral values against alternative land uses, consider the importance of these minerals to their market region as a whole and not just their importance to San José.

4. The quarrying of economically usable resources, including sand and gravel, should be carefully regulated to mitigate potential environmental effects such as dust, noise and erosion.
5. When approving quarrying operations, the City should require the preparation and implementation of reclamation plans for the contouring and revegetation of sites after quarrying activities cease.

### **Air Quality**

The climate and topography of the San Francisco Bay Area often directs air pollution to San José. High concentrations of pollutants are due to a blanketing layer of air known as a "thermal inversion", which prevents the upward escape of pollutants. The mountains which rim the Bay and form the Santa Clara Valley channel the prevailing winds, typically light and from the north, whenever there is thermal inversion. Under these conditions, air contaminants from urban areas of the Peninsula and East Bay are carried southward, to the degradation of air quality in the South Bay.

According to the Bay Area Air Quality Management District (BAAQMD) San José is at the center of a "non-attainment" area where air pollution by ozone, carbon monoxide, and particulates exceeds acceptable levels. Programs and control measures to reduce pollution emissions by 1997, included in BAAQMD's 1991 Clean Air Plan and other State and Federal plans, are now being developed and will eventually be implemented for South Bay residents. Attainment of acceptable air quality in the South Bay will require continued efforts by San José and neighboring cities to promote transportation improvements and reduce dependency on the automobile. Even with these efforts the region is likely to be a "non-attainment area" in terms of complying with State and Federal air pollution standards.

**Air Quality Goal:**

Maintain acceptable levels of air quality for the residents of San José and minimize the air pollution produced by new development.

**Air Quality Policies:**

1. The City should take into consideration the cumulative air quality impacts from proposed developments and should establish and enforce appropriate land uses and regulations to reduce air pollution consistent with the region's Clean Air Plan and State law.
2. Expansion and improvement of public transportation services and facilities should be promoted, where appropriate, to both encourage energy conservation and reduce air pollution.
3. The City should urge effective regulation of those sources of air pollution, both inside and outside of San José, which affect air quality. In particular, the City should support Federal and State regulations to improve automobile emission controls.
4. The City should foster educational programs about air pollution problems and their solutions.
5. In order to reduce vehicle miles traveled and traffic congestion, new development within 1,000 feet of an existing or planned transit station should be designed to encourage the usage of public transit and minimize the dependence on the automobile through the application of site design guidelines.
6. The City should continue to actively enforce its ozone-depleting compound ordinance and supporting policy to ban the use of chlorofluorcarbon compounds (CFCs) in packaging and in building construction and remodeling to help reduce damage to the global atmospheric ozone layer. The City may consider

adopting other policies or ordinances to reinforce this effort.

**Energy**

Every aspect of modern society depends on the use of energy sources. Energy sources are used for transportation, manufacturing, processing, heating, cooling, lighting and appliances.

The City has little, if any, direct control over the production and supply of conventional energy resources, particularly fossil fuels; the City does not have coal mines, oil wells, or its own municipal utility. In general, most of our energy resources are imported with both availability and price governed by a wide variety of factors which the City does not control including the decisions of state, national and international institutions, both public and private.

Although the City of San José and its residents are affected by changes in all energy markets, they have little direct control. However, there is some indirect control or influence which the City can have over the amount and type of energy sources the City and its residents and businesses consume. The General Plan includes policies to impact energy consumption through the mix of land uses and the design of a transportation system which provides the most efficient movement of people and goods. Through the Sustainable City Strategy, San José can also affect energy supply and consumption by reducing the energy consumed for City operations, and by encouraging sound investments and behaviors which use non-renewable energy resources more efficiently and expand the use of renewable energy resources.

**Energy Goal:**

Consistent with Sustainable City Strategy Goals, the City should foster development which, by its location and

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design, reduces the use of non-renewable energy resources in transportation, buildings and urban services (utilities) and expands the use of renewable energy resources.

### **Energy Policies:**

1. The City should promote development in areas served by public transit and other existing services. Higher residential densities should be encouraged to locate in areas served by primary public transit routes and close to major employment centers.
2. Decisions on land use should consider the proximity of industrial and commercial uses to major residential areas in order to reduce the energy used for commuting.
3. Public facilities should be encouraged to locate in areas easily served by public transportation.
4. The energy-efficiency of proposed new development should be considered when land use and development review decisions are made. The City's design techniques include provisions for solar access, for siting structures to maximize natural heating and cooling, and for landscaping to aid passive cooling protection from prevailing winds and maximum year-round solar access.
5. The City should encourage owners and residents of existing developments to implement programs to use energy more efficiently in buildings and in their transportation choices, to reduce dependency on automobiles, and to explore alternative energy sources.
6. All street lights in areas outside of the Downtown Core Area should use the low-pressure sodium vapor. Within the Downtown Core Area, high pressure sodium vapor street lights should be used.

7. The City should require low-pressure sodium vapor lighting for outdoor, unroofed areas in all new developments and encourage existing development to retrofit using low-pressure sodium vapor lighting.
8. The City should continue to pursue energy-efficiency in City operations.
9. The City should encourage the development of renewable energy sources and alternative fuels and cooperate with other public and quasi-public agencies in furthering this policy.

### **Agricultural Lands and Prime Soils**

In addition to the production of food and fiber, lands utilized for agriculture can provide the indirect benefit of enhanced air quality through the plant respiration cycle. Prime soils, soils which have the ability to produce common cultivated crops without deterioration over a long period of time, underlie most of San José. The City has been built on prime soils, and most of the remaining undeveloped land consists of prime soils. Most of the remaining vacant, valley floor land in San José, including most of the Coyote Valley, is designated as prime farm lands by the State of California Important Farmlands Inventory. Preservation of all prime soil land would mean a virtual halt to urbanization and is not a reasonable goal. Not all lands designated on the Land Use/Transportation Diagram for Agriculture are in agricultural use nor are all prime soils lands in agricultural use.

### **Agricultural Lands and Prime Soils Goal:**

Avoid the premature conversion of agricultural lands to urban uses.

### **Agricultural Lands and Prime Soils Policies:**

1. Williamson Act contracts and other forms of property tax relief should be

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- encouraged for agricultural lands in non-urban areas.
2. The City should promote the passage of legislation to establish Countywide or Statewide agricultural preservation programs, including the funding necessary for implementation of such programs.
  3. Appropriate agricultural uses should be encouraged in hillside areas.
  4. Preservation of agricultural lands and prime soils in non-urban areas should be fostered in order to retain the aquifer recharge capacity of these lands. ■

## HAZARDS

San José's Sphere of Influence includes many areas subject to varying degrees of naturally occurring hazards. Historically, as land becomes scarce, there is increased pressure to develop vacant land with a higher hazard potential. Development in hazardous areas, however, can result in significant costs to the community, including major property damage as well as potential loss of life. Another major consideration is the extraordinary expense borne by the City to repair and replace public utilities and facilities located in hazard areas.

Hazards obviously represent a risk to the community. The purpose of the goals and policies in this section is to incorporate safety considerations into the City's planning and decision-making processes to reduce those risks. Since it is not possible to eliminate all such risks, the City and its residents must decide, based on personal, social, and economic costs and benefits, the degree of risk that is acceptable for various hazards. High risks in existing structures may be lowered to an acceptable level by physical alteration, relocation, demolition or changes in use. For new development, the emphasis of the General Plan policies is to regulate construction so as to minimize identifiable risks.

The Natural Hazards policies in this Plan are based on substantial background data and analysis about existing conditions in the City of San José and in the Santa Clara Valley. The three main sources for this information, incorporated into the General Plan by reference, are:

1. "Technical Report, Geological Investigation, City of San José's Sphere of Influence", prepared by Cooper-Clark and Associates, hereinafter called the Cooper-Clark Technical Studies.
2. The City of San José Fault Hazard Maps, prepared by the San José Department of Public Works, which include State of California Special Study Zones.
3. Flood Insurance Rate Maps (FIRM), City of San José, California, prepared for the National Flood Insurance Program by the Federal Emergency Management Agency.

These sources describe the soils, geologic and flooding conditions throughout the area, but they are not intended to identify the site specific characteristics of individual properties. The Plan's policies require detailed site-specific evaluation of properties when the sources referenced above indicate there may be a potential hazard. This evaluation is to confirm the accuracy of the generalized information provided in the referenced sources, identifying the specific impacts of a proposed development, and developing appropriate mitigation measures for those impacts.

There are many interrelationships between the various topics within the Hazards section of the Plan. For example, the control of erosion and prevention of landslides can have positive effects on the reduction of potential flooding impacts. Earthquakes can magnify, and in fact are a direct cause of one type of liquefaction, a hazardous soil condition. Fires in watershed areas can

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increase erosion and storm water runoff, thereby increasing flooding potential.

The discussion of natural hazards also relates to other elements of the General Plan. The potential for land subsidence is directly related to the issues discussed in the Water Resources section, since land subsidence is caused from overdrafting the groundwater basin. The discussion of flooding hazards in this section is directly related to the planning for improved flood control facilities discussed in the Facilities and Services section. This section also addresses man-made hazards, including noise, fire hazards and hazardous materials. Safety hazards associated with vehicular, rail and air transportation are addressed in the Transportation goals and policies.

In the event of a fire, geologic, or other hazardous occurrence, the City of San José's Emergency Plan provides comprehensive, detailed instructions and procedures regarding the responsibilities of City personnel and coordination with other agencies to ensure the safety of San José's citizens. The Emergency Plan includes evacuation procedures but does not delineate evacuation routes. Instead, procedures are outlined for different types of emergencies occurring in different locations of San José.

The natural hazards described below are generally depicted on the Natural Hazards Map at the end of this section.

### **Hazards Goal:**

Strive to protect the community from injury and damage resulting from natural catastrophes and other hazard conditions.

### **Hazards Policies:**

1. Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the

residents of the community can be mitigated to an acceptable level.

2. Levels of "acceptable exposure to risk" established for land uses and structures based on descriptions of land use groups and risk exposure levels are outlined in Figure 15, "Acceptable Exposure to Risk Related to Various Land Uses", and should be considered in the development review process.
3. Provisions should be made to continue essential emergency public services during natural catastrophes.
4. The City should continue updating, as necessary, the San José Building Code and Fire Prevention Code to address geologic, fire and other hazards.
5. The City should promote awareness and caution among San José residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, and fire hazards.
6. Disaster preparedness planning should be undertaken in cooperation with other public agencies and appropriate public-interest organizations.

## **Soil and Geologic Conditions**

Hazards related to soil and geologic conditions include erosion, landslides, expansive soils (subject to shrink and swell behavior), weak soils (subject to failure) and land subsidence. Soils with varying degrees of expansivity are present throughout the San José area, as are weak soils. The baylands and streambeds are areas with weak soils. Soils subject to liquefaction during an earthquake are more widespread, with varying levels of potential failure. Land subsidence which has historically occurred throughout the valley, is primarily concentrated in the Central and Alviso areas of the City. This condition has been arrested by the Santa Clara Valley Water District's groundwater recharge system.



Soils on some sites throughout the Valley floor have been contaminated by chemicals which were used in conjunction with former heavy industrial or agricultural uses. Depending on concentrations, these materials can pose health risks for residential development.

The Soils and Geologic policies stress the need for identification and awareness of soils contamination and geologic hazards in the planning and development of the future urbanization of the City. Areas of potential geological hazard are defined on the Landslide Susceptibility, Fault Traces, and Erosion Potential Maps contained in the "Technical Report, Geological Investigation, City of San José's Sphere of Influence", prepared by Cooper-Clark Associates, and on the State of California Special Study Zones Maps, both as referenced above.

The areas identified on these maps broadly define likely locations of soils and geologic hazards. Detailed study of these potential impacts is necessary in conjunction with the development review process in order to identify and assess the site-specific conditions.

**Soils and Geologic Conditions Goal:**

Protect the community from the hazards of soil erosion, soil contamination, weak and expansive soils and geologic instability.

**Soils and Geologic Conditions Policies:**

1. The City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landholdings, mudsliding, erosion and sedimentation in order to determine if these hazards can be adequately mitigated.

2. The City should not locate public improvements and utilities in areas with identified soils and/or geologic hazards to avoid any extraordinary maintenance and operating expenses. When the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures should be implemented.
3. In areas susceptible to erosion, appropriate control measures should be required in conjunction with proposed development.
4. In order to prevent undue erosion of creek banks, the City should seek to retain creek channels in their natural state, where appropriate.
5. The Development Review process should consider the potential for any extraordinary expenditures of public resources to provide emergency services in the event of a man-made or natural disaster.
6. Development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.
7. The City should cooperate with the Santa Clara Valley Water District's efforts to prevent the recurrence of land subsidence.
8. Development proposed within areas of potential geological hazards should not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties.
9. Residential development proposed on property formerly used for agricultural or heavy industrial uses should incorporate adequate mitigation/remediation for soils contamination as recommended through the Development Review process.

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### Earthquakes

San José is located in a region of very high seismic activity. The major earthquake faults in the region are the San Andreas, near the crest of the Santa Cruz Mountains, and the Hayward and Calaveras fault system located in the Diablo Range. Numerous other faults are located in the hills and throughout the Valley. The Berryessa, Crosley, Clayton, Quimby, Shannon and Evergreen faults are potentially active and also located in the Santa Clara Valley. The soils which make up the majority of the valley floor consist of alluvial deposits from the surrounding mountain ranges. These types of soils have the potential to produce severe ground shaking which is the source of most earthquake damage.

The level of risk which the City considers acceptable for the hazards of earthquakes varies for different land uses and structural types. Figure 15 identifies the acceptable level of exposure to risk by land use. Earthquakes can generate a variety of hazards which include surface rupture, ground shaking and resultant ground failure, differential settlement, seismically-induced landslides, and seismically-induced inundation. Although it is not possible to negate all the risks associated with earthquakes, it is the intent of the General Plan to use the tools available, such as geotechnical studies (as referenced in the introduction to this section), appropriate land use decisions and building codes to reduce the risks to acceptable levels.

#### Earthquakes Goal:

Minimize the risk from exposure to seismic activity.

#### Earthquakes Policies:

1. The City should require that all new buildings be designed and constructed to resist stresses produced by earthquakes.

2. The City should foster the rehabilitation or elimination of structures susceptible to collapse or failure in an earthquake.
3. The City should only approve new development in areas of identified seismic hazard if such hazard can be appropriately mitigated.
4. The location of public utilities and facilities, in areas where seismic activity could produce liquefaction should only be allowed if adequate mitigation measures can be incorporated into the project.
5. The City should continue to require geotechnical studies for development proposals; such studies should determine the actual extent of seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.
6. Vital public utilities as well as communication and transportation facilities should be located and constructed in a way which maximizes their potential to remain functional during and after an earthquake.
7. Land uses in close proximity to water retention levees or dams should be restricted unless such facilities have been determined to incorporate adequate seismic stability.
8. Responsible local, regional, State, and Federal agencies should be strongly encouraged to monitor and improve the seismic resistance of dams in the San José area.

**Figure 15. Acceptable Exposure to Seismic Risk Related to Various Land Uses**

Land uses and structural types are arranged below according to the level of exposure to acceptable risk appropriate to each group; i.e., the lowest level of exposure to acceptable risk should be allowed for Group 1 and the highest level of exposure to acceptable risk for Group 7.		
Level of Acceptable Exposure to Risk	Land Use Groups	
Extremely Low	Group 1:	<ul style="list-style-type: none"> <li>Vulnerable structures, the failure of which might be catastrophic, such as nuclear reactors, large dams, and plants manufacturing or storing explosives or toxic materials.</li> </ul>
	Group 2:	<ul style="list-style-type: none"> <li>Vital public utility facilities, such as electric transmission interties (500 KV), network ties (230 KV), and substations, regional water supply distribution facilities, such as aqueducts and valley pipelines, treatment plants and pumping stations; and gas transmission mains.</li> </ul>
Low	Group 3:	<ul style="list-style-type: none"> <li>Major communication and transportation facilities, such as airports, telephone lines and terminals, bridges, tunnels, freeways and overpasses, and evacuation routes.</li> <li>Water retention structures such as small dams and levees, and sanitary landfills.</li> <li>Emergency facilities, such as hospitals, fire and police stations, ambulance services and post-earthquake aid stations.</li> </ul>
	Group 4:	<ul style="list-style-type: none"> <li>Involuntary occupancy facilities, such as convalescent and nursing homes, schools and prisons.</li> <li>High occupancy buildings, such as theaters, arenas, large office buildings and hotels, and large apartment buildings or complexes.</li> </ul>
	Group 5:	<ul style="list-style-type: none"> <li>Public utility facilities, such as metropolitan feeder electric transmission routes (60 and 115 KV), water supply turnout lines and sewage lines. Facilities which are of major importance to the local economy.</li> </ul>
	Group 6:	<ul style="list-style-type: none"> <li>Minor transportation facilities, such as arterials and parkways.</li> <li>Low to moderate occupancy buildings, such as single-family residences, small apartment buildings, motels, and small commercial/office/professional light industrial buildings.</li> </ul>
Moderately Low	Group 7:	<ul style="list-style-type: none"> <li>Very low occupancy buildings such as warehouses, storage areas, and farm structures.</li> <li>Open space and recreation areas, farm lands, and wildlife areas.</li> </ul>
Ordinary Risk Level		

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### Flooding

San José and the Santa Clara Valley have a history of flooding which has resulted in loss of life and property. In San José, the most serious flooding in recent history has occurred in the Alviso and North San José areas.

Flood Insurance Rate Maps (FIRM) have been prepared in conjunction with the Federal Flood Insurance Program showing areas projected to be flooded to a depth of one foot or more in the event of a "1%" or "100-year" flood occurrence. The Natural Hazards Map depicts areas subject to inundation due to dam failure.

Although the Santa Clara Valley Water District has the primary responsibility for flood control and modifications to stream channels, San José has jurisdiction over, and responsibility for, the development of areas adjacent to all rivers and streams in the City's Urban Service Area. Therefore, City policies and land use decisions directly affect the design of channel modifications required as a part of a development. In particular, the City's regulation of development is the vehicle for requiring the dedication of waterways to the Water District, preservation of flood plains and in some cases, the construction of flood control improvements.

#### **Flooding Goal:**

Protect the community from the risk of flood damage.

#### **Flooding Policies:**

1. New development should be designed to provide protection from potential impacts of flooding during the "1%" or "100-year" flood.
2. Development in watershed areas should only be allowed when adequate mitigation measures are incorporated into the project design to prevent

unnecessary or excessive siltation of flood control ponds and reservoirs.

3. Designated floodway areas should be preserved for non-urban uses.
4. The City and the Santa Clara Valley Water District should cooperate to develop flood control facilities to protect the Alviso and North San José areas from the occurrence of the "1%" or "100-year" flood.
5. Appropriate emergency plans for the safe evacuation of occupants of areas subject to possible inundation from dam failure and natural flooding should be prepared and periodically updated.
6. The City should support State and Federal legislation which provides funding for the construction of flood control improvements in urbanized areas.
7. The City should require new urban development to provide adequate flood control retention facilities.
8. The City should cooperate with the Santa Clara Valley Water District to develop additional flood control retention facilities in areas where existing retention facilities are nearing capacity.

### Fire Hazards

San José residents are exposed to both urban and wildland hazards. Fire is a unique hazard because it is both a natural hazard and one which can be significantly affected by the intentional, as well as accidental, actions of man.

In urban areas, the most serious concern is fires in high-rise buildings, multiple-family dwellings, and commercial and industrial structures containing highly combustible and toxic materials. City ordinances require the installation of fire sprinklers for most new construction other than low-rise residential

developments. However, all residential structures are included in the City's requirements for smoke alarms. Adequate access to all structures on a site can be critical in urban areas. Inadequate parking provisions promote improperly parked vehicles which may obstruct or hinder emergency access.

In grass or woodland areas, adequately controlled fires can have some beneficial effects such as the control of excessive, dense brush and tree growth. If such dense growth does exist, any fire will be hotter and more likely to destroy plant roots which are necessary to bind the soil to prevent heavy erosion by wind and water.

Development in wildland areas complicates fire prevention and protection, particularly when the development is scattered and low density. In this case, controlled burns cannot be used to prevent excessive undergrowth and the potential for man-made fires is increased because of the proximity of people and buildings to wildland. Other means of control, such as growth retarding chemicals, mechanical cutting of top growth, and fire breaks could be employed; however, these tend to be less desirable due to development costs and the environmental effects of these measures.

**Fire Hazards Goal:**

To incorporate fire safety precautions as an integral consideration in planning development.

**Fire Hazards Policies:**

1. "Controlled burning" programs, agricultural uses such as grazing and special planting, and maintenance programs to reduce potential fire hazards in the hills and wilderness areas should be encouraged where appropriate.
2. All new development should be constructed, at a minimum, to the fire

safety standards contained in the San José Building Code.

3. New development adjacent to heavily grassed and semi-arid hillsides should be designed and located to minimize fire hazards to life and property, including the use of such measures as fire preventive site design, landscaping and building materials, and the use of fire suppression techniques, such as sprinklering.
4. Alternative water resources for fire fighting purposes should be identified for use during a disaster.
5. Anticipated fire response times and fire flows should be taken into consideration as a part of the Development Review process.
6. New development should provide adequate access for emergency vehicles, particularly fire fighting equipment, as well as provide secure evacuation routes for the inhabitants of the area.
7. The City should regulate the storage of flammable and explosive materials and strongly encourage the proper transportation of such materials.

**Noise**

Noise as a form of environmental hazard has no natural component. All of the identified noise sources in the urban area are man-made. The existing background or "ambient" noise level in the community is the product of the cumulative effects of a variety of different noise sources.

There is scientific evidence documenting the detrimental effects of noise on human health and well being. The Environmental Protection Agency identifies 45 DNL (average day/night noise level in decibels) indoors and 55 DNL outdoors as the desirable maximum levels of noise.

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The City commissioned a noise measurement survey for the preparation of the 1974 Noise Element of the General Plan. This survey was most recently updated in 1993 to reflect current noise conditions in the community. The results of the recent survey generally confirmed the findings of the original noise survey. The major sources of noise in San José are the various modes of transportation that serve the community, including automobile and truck traffic on freeways and major streets, rail lines and airports. Other sources of noise include stationary sources, such as commercial and industrial operations, as well as temporary sources, such as construction activities and loud stereo music.

Because of the existing noise levels in San José and the need for State and Federal legislation to require quieter engine design in all forms of transportation, a short-term outdoor guideline of 60 DNL is considered to be more realistic than 55 DNL. However, since adequate construction technology is currently available, an indoor noise guideline of 45 DNL is feasible and coincides with Title 24, the State Sound Transmission Control law which is implemented by the City.

Residential and public/quasi-public land uses (such as schools, libraries and hospitals) are particularly sensitive to noise. Commercial, industrial and other non-residential uses located adjacent to such existing or planned noise sensitive uses should mitigate noise generation to meet the 55 DNL noise level at the property line. This will increase the compatibility between residential and non-residential land uses and will further the long-term outdoor noise goal of 55 DNL.

Figure 16 shows the compatibility of various land use categories with varying noise levels. The intent of the Plan is to ultimately achieve these levels; however, the Downtown Core Area the area around San José International

Airport, and areas adjacent to major roadways have been identified as special noise impact areas. Because of the nature of these special areas, it may be impossible to attain the desired outdoor noise level of 55 DNL or even 60 DNL in the near term without eliminating the beneficial attributes of the exterior spaces. Examples of such situations are exterior balconies that face major roadways, rear yard areas and urban parks.

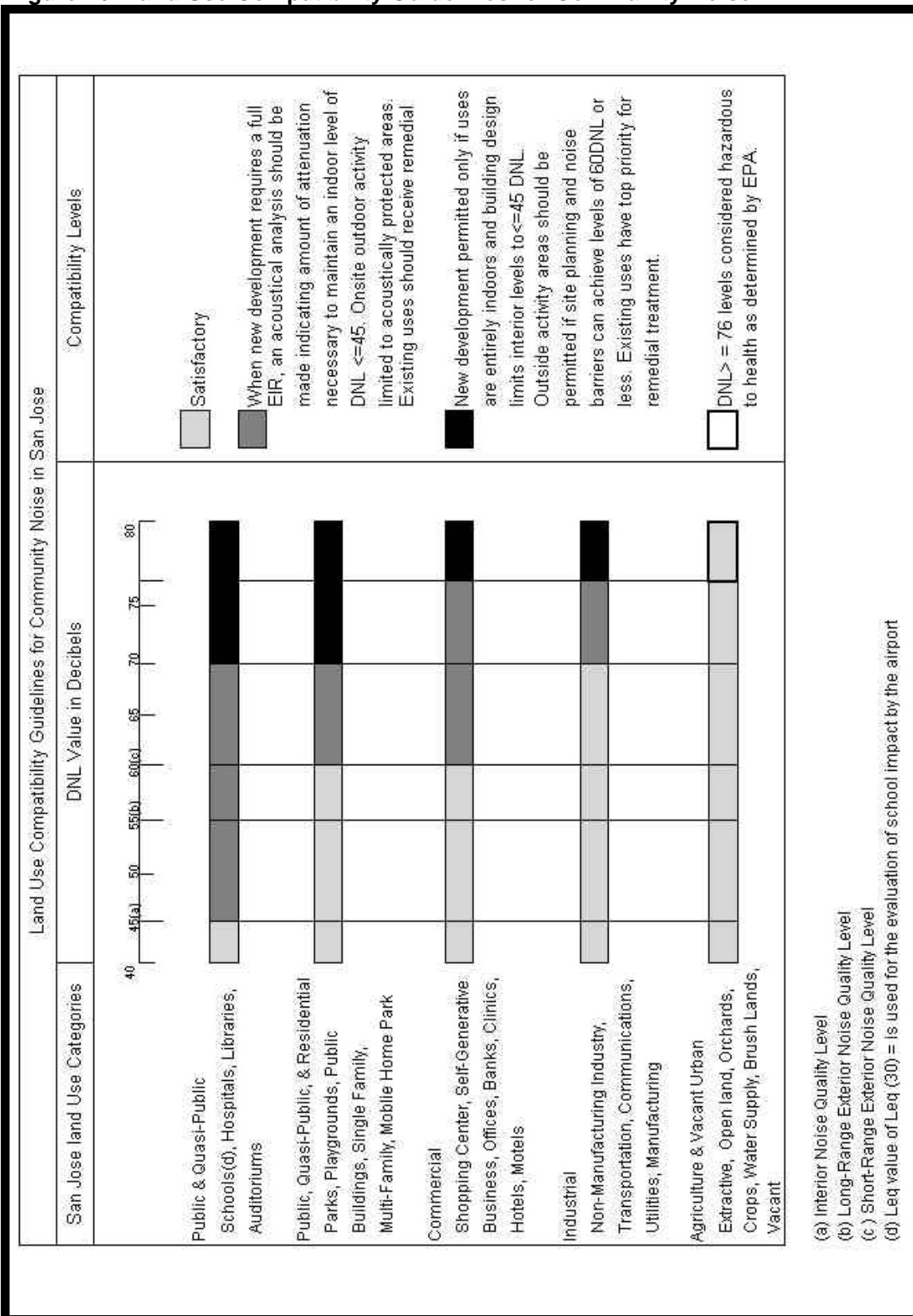
### **Noise Goal:**

Minimize the impact of noise on people through noise reduction and suppression techniques, and through appropriate land use policies.

### **Noise Policies:**

1. The City's acceptable noise level objectives are 55 DNL as the long-range exterior noise quality level, 60 DNL as the short-range exterior noise quality level, 45 DNL as the interior noise quality level, and 76 DNL as the maximum exterior noise level necessary to avoid significant adverse health effects. These objectives are established for the City, recognizing that the attainment of exterior noise quality levels in the environs of the San José International Airport the Downtown Core Area, and along major roadways may not be achieved in the time frame of this Plan. To achieve the noise objectives, the City should require appropriate site and building design, building construction and noise attenuation techniques in new residential development.
2. The City should include appropriate noise attenuation techniques in the design of all new arterial streets.

Figure 16. Land Use Compatibility Guidelines for Community Noise



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3. The City should encourage the State Department of Transportation and County Transportation Agency to provide sound attenuation devices which are visually pleasing on all new and existing freeways and expressways.
4. The City should monitor Federal legislative and administrative activity pertaining to aircraft noise for new possibilities for noise-reducing modifications to aircraft engines beyond existing Stage 3 requirements. In addition, the City should monitor the ongoing FAA study group discussions pertaining to land use around airports and oppose Federal policies pre-empting local land use authority. The City should monitor any efforts at the Federal level to revise or modify the Federal schedule for phase-out of Stage 2 aircraft. The City should continue to encourage the use of quieter aircraft at the San José International Airport.
5. The City should continue to require safe and compatible land uses within the International Airport noise zone (defined by the 65 CNEL contour as set forth in State law) and should also encourage operating procedures which minimize noise.
6. The City should continue to encourage the Federal Aviation Administration to enforce current cruise altitudes which minimize the impact of aircraft noise on land use.
7. The use of off-road vehicles such as trail bikes, mini-bikes and dune buggies should only be allowed in areas where the resulting noise is consistent with the City's exterior noise level guidelines and is compatible with adjacent land uses.
8. The City should discourage the use of outdoor appliances, air conditioners, and other consumer products which generate noise levels in excess of the City's exterior noise level guidelines.
9. Construction operations should use available noise suppression devices and techniques.
10. Commercial drive-through uses should only be allowed when consistency with the City's exterior noise level guidelines and compatibility with adjacent land uses can be demonstrated.
11. When located adjacent to existing or planned noise sensitive residential and public/quasi-public land uses, non-residential land uses should mitigate noise generation to meet the 55 DNL guideline at the property line.
12. Noise studies should be required for land use proposals where known or suspected peak event noise sources occur which may impact adjacent existing or planned land uses.

### Hazardous Materials

Danger to public health and welfare is posed by a variety of hazardous materials. The term "hazardous materials" encompasses a large number of substances, including toxic metals, chemicals and gases, flammable and/or explosive liquids and solids, corrosive materials, infectious substances, and radioactive material.

The transport, distribution, and storage of these materials is of extreme concern to the City of San José. The City's adopted Hazardous Materials Ordinance regulates the storage of most of these materials. The Plan recognizes the broad implications of the use of hazardous materials. The following goal and policies address the land use implications.



**Hazardous Materials Goal:**

Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials, recognizing that the use of these materials is integral to many aspects of society.

**Hazardous Materials Policies:**

1. The City should require proper storage and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.
2. The City should support State and Federal legislation which strengthen safety requirements for the transportation of hazardous materials.
3. The City should incorporate soil and groundwater contamination analysis within the environmental review process for development proposals. When contamination is present on a site, the City should report this information to the appropriate agencies that regulate the cleanup of toxic contamination.
4. Development located within areas containing naturally occurring asbestos should be required to mitigate any potential impacts associated with grading or other subsurface excavation.

**Hazardous Waste Management**

The transport, distribution, storage and disposal of hazardous waste is of concern to the City of San José. The Plan recognizes the broad implications of managing the waste of hazardous materials. State legislation enacted in 1986 (AB 2948-Tanner) established a process for analyzing the hazardous waste stream and determining the need for facilities to manage the treatment, storage and disposal of hazardous waste. The

Santa Clara County Hazardous Waste Management Plan (revised, July 1991) was drafted to meet these legislative requirements and is, by this reference, incorporated into the San José 2020 General Plan with the exception of Chapters 10 and 12. Appendix G of the Plan identifies the specific criteria for siting hazardous waste management facilities.

The following goals and policies pertain to the management of hazardous wastes and siting of hazardous waste management facilities.

**Hazardous Waste Management Goals:**

1. To protect public health, safety, and the environment, whenever feasible, by reducing or eliminating the generation of hazardous waste as expeditiously as possible through the adoption and implementation of a hierarchy of hazardous waste management priorities by hazardous waste generators. The hazardous waste management hierarchy emphasizes the importance of preventing pollution by giving primacy to reducing hazardous waste at the source of generation. The hierarchy requires source reduction and recycling particularly as alternatives to land disposal whenever feasible.
2. To site only those facilities which are necessary to safely, economically and responsibly manage the hazardous waste needs of the County of Santa Clara.

**Hazardous Waste Management Policies:**

1. All proposals to site a hazardous waste management facility shall assure compatibility with neighboring land uses and be consistent with the siting criteria established in the County Hazardous Waste Management Plan (CHWMP) and

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this Plan. Where the two conflict, this Plan shall govern.

2. Areas designated for industrial uses may be appropriate for hazardous waste transfer/processing stations if, during the development review process, it is determined that such a use would be compatible with existing and planned land uses in the vicinity of the site and would meet the siting criteria established in the CHWMP and this Plan.
3. All proposals for new and expanded hazardous waste management facilities must provide adequate mitigation for identified environmental impacts.
4. A risk assessment shall be conducted as part of the environmental review process at the time a site-specific proposal for a hazardous waste facility is submitted to the City. This assessment should identify health, safety and environmental factors that may be unique to the site as well as to the types of waste to be managed. It should include an analysis of the potential for accidental and cumulative health and environmental impacts resulting from the proposed facility.
5. All proposals for hazardous waste facilities shall be consistent with the plans and policies of air and water quality regulatory agencies (i.e., Air Quality Management District, and the Regional Water Quality Control Board and this City).
6. Transportation of hazardous waste from the point of origin to the appropriate hazardous waste management facility shall be by the most direct legal route, utilizing state or interstate highways whenever feasible, and shall minimize distances along residential and other non-industrial frontages to the fullest extent feasible.
7. As part of the permitting process, transportation routes to and from hazardous waste facilities shall be designated by the City in order to minimize negative impacts on surrounding land uses.
8. Hazardous waste management facilities shall, where feasible, be located at sites which minimize the risks associated with the transportation of hazardous waste. Given their need for larger land areas and need to avoid incompatibility with surrounding urban land uses, residuals repositories (waste disposal facilities) may be located farther from waste generation sources than other types of hazardous waste facilities.
9. Proper storage and disposal of hazardous wastes shall be required to prevent leaks, explosions, fires, or the escape of harmful gases, and to prevent materials from combining to form hazardous substances and wastes. ■